

IOTC-2024-CoC21-06_Rev1 [E]

INFORMATION RELATED TO PRESUMED IUU FISHING ACTIVITIES IN THE IOTC AREA

Prepared by IOTC Secretariat, 24 April 2024

PURPOSE

To bring to the attention of the Compliance Committee, information received from the United Kingdom regarding ten vessels registered to India and Sri Lanka for fishing practices that presumably undermines the effectiveness of conservation and management measures adopted by the Indian Ocean Tuna Commission.

INFORMATION REPORTED TO THE IOTC SECRETARIAT

1. Information received against seven vessels for notification to IOTC Secretariat and with no further action requested.
2. Information received against three vessels for notification of illegal activity to IOTC Secretariat and recommend notification of activity to the flag State.

RECOMMENDATION/S

That the CoC21:

- 1) **NOTE** paper IOTC-2024-CoC21-06_Rev1, which provide contexts to the activities of the ten vessels registered to India and Sri Lanka, as reported by the United Kingdom.
- 2) **NOTE** that paper IOTC-2024-CoC21-06_Rev1, serves as notice to India for the activities of the two fishing vessels registered to India: IND-TN-15-MM-5661 (AKASH) and IND-TN-15-MM-322 (EMMANUEL).
- 3) **NOTE** that paper IOTC-2024-CoC21-06_Rev1, serves as notice to Sri Lanka for the activities of the fishing vessel registered to Sri Lanka: IMULA2352MTR (SENUDI 1).
- 4) **RECOMMEND** that India and Sri Lanka provide the Compliance Committee with information/updates of actions that they have taken to exercise flag State controls over their vessels which operate in areas beyond national jurisdiction.
- 5) **RECOMMEND** that India and Sri Lanka keep CPCs informed on the progress and outcomes of their investigations against the owner/master of the vessels mentioned in recommendations 2 and 3, above.
- 6) **RECOMMEND** that CPCs continue to provide the Compliance Committee with information on actions they undertake to combat fishing practices that undermines the effectiveness of conservation and management measures adopted by the Indian Ocean Tuna Commission.

To assist in the review of this document, the following provides a summary of the contents and bookmarks to navigate through this document.

Click on an item below to navigate to the desired item.

1. *Information received against seven vessels for notification to IOTC Secretariat and with no further action requested.*
 - i. Vessel **IND-TN-15-MM-5345 (St MARYS)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - ii. Vessel **IND-TN-15-MM-4603 (LORDHU MARIYA)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - iii. Vessel **IND-TN-15-MM-5271 (EPHRAEEM 1)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - iv. Vessel **IND-TN-15-MM-4779 (EPHRAEEM)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - v. Vessel **IMUL-A-0619-CHW (SHEHAN 1)** flagged to Sri Lanka.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - vi. Vessel **IMUL-A-0603-CHW (SHANIKA DUWA)** flagged to Sri Lanka.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - vii. Vessel **IMUL-A-0869-CHW (Holly Trinity)** flagged to Sri Lanka.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
2. *Information received against three vessels for notification of illegal activity to IOTC Secretariat and recommend notification of activity to the flag State.*
 - viii. Vessel **IND-TN-15-MM-5661 (AKASH)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - ix. Vessel **IND-TN-15-MM-322 (EMMANUEL)** flagged to India.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.
 - x. Vessel **IMULA2352MTR (SENUDI 1)** flagged to Sri Lanka.
 - a. Letter and IUU Reporting Form.
 - b. Inspection report and photographic evidence.



Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Indian flagged Vessel IND-TN-15-MM-5345 (St MARYS).

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting forms for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters for the above referenced Indian flagged vessel has already been submitted.

IND-TN-15-MM-5345 (St MARYS) was boarded and inspected on 23 February 2023. It is presumed IUU and fishing contrary to IOTC Conservation Management Measures: The vessel is flagged to India and is a multi-purpose multi-gear vessel operating with gillnets and longline. It is not on the IOTC list of Authorised fishing vessels and we believe not authorized to fish outside the Indian EEZ. It was equipped to catch tuna and tuna like species and is thus presumed Illegal and Unregulated (fishing without authorization in the IOTC area and BIOT), and Unreported (IUU). This vessel was operating with other vessels on which IOTC species were observed in the catch during boarding and inspection by the Senior Fisheries Protection Officer (SFPO). Nevertheless, for the 2024 IOTC Draft IUU Vessels List, as was the case in 2023, we will only recommend IUU Listing (Recommendation (c)) for those vessels where we have evidence of fishing and tuna and tuna like species on board. IOTC species were not observed on this vessel.

The attached evidence shows that:

- This vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- It did not submitted a transit report prior to entry into the FCMZ and did not have a VMS present onboard.
- It was fishing illegally without a licence within BIOT waters. No IOTC managed species were observed on inspection.

As no IOTC managed species were observed on this vessel we present it to IOTC Compliance Committee with recommendation **a) 'Notification to IOTC Secretariat only. No further action is recommended'**.

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, appearing to read 'J. Moir Clark'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting forms for Illegal Activity, IND-TN-15-MM-5345 (St MARYS).

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	St Marys
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	Photographic Evidence_CJ059_IN-DTN15MM5345_ST_MARYS_23_02_2023.docx
f	Call Sign	Unknowan
	Previous call sign, if any	
g	Owner	Dominic Raj S/O Albart
	Previous Owner/s, if any	
h	Operator	N/A and A. Dominic Raj

Previous Operator/s, if any

Master/Fishing Master

i	Date of alleged IUU fishing activities	23/02/2023
j	Position of alleged IUU fishing activities	6°29' 24" S, 71° 18' 0" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	<i>Enter the summary of actions known to have been taken in respect of the alleged IUU fishing activities</i>
m	Outcome of actions taken	<i>Enter the outcome of actions taken</i>

B. Details of IOTC Resolution Elements Contravened

Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;; k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_CJ059_IN-DTN15MM5345_ST_MARYS_23_02_2023.docx
2	Inspection report	No file(s) uploaded

3	-	No file(s) uploaded
4	-	No file(s) uploaded
5	-	No file(s) uploaded
6		No file(s) uploaded

Upload any other documents below, if any

[Photographic_Evidence_CJ059_INDTN15MM5345_ST_MARYS_23_02_2023.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

a. Notification to IOTC Secretariat only. No further actionis recommended.

Additional information can be provided below:

Additional information

1. SUMMARY

Date of boarding	23/02/2023
Patrol type and number	FIPA137 /OISP 01-26
Vessel name	St Marys
Vessel type	Registered as Gillnetter
Vessel flag and port of reg.	India, Colachel
Vessel Registration No.	IND-TN-15-MM-5345
IOTC# (if registered)	NA
Vessel Captain's name	A Duminic Raj
SFPO	ROPO Cherry (FPO)
BPV crew assisting	

Action Taken: Vessel – St Marys

Master – A Duminic Raj. (note: Also the Owner. CJ-SFPO)

ID – IND-TN-15-MM-5345

Crew of 16 (Including Master)

Haul - Mixture of fish, inc multiple groupers. Multiple sharks are throughout all holds. All small in size.

Gear – Large nets, large quantity of wire trace was found throughout vessel and photographed.

This vessel was revisited north tip of danger island. When approached the crew were hauling lines. On close proximity, the crew were witnessed cutting line by member of boarding team. The master (on the initial boarding) informed FPO he had one line 4 nautical miles from his position. On the second boarding 2 lines were present in the waters in close proximity to his vessel. Mater and crew were ordered to haul in the line that had been cut on approach. When hauled, the line contained multiple living fish. Photographed on recent image. All fish that were still alive and ordered by FPO to return them to the sea de-hooked. A 2ft shark was also hooked. This line had approx. 500m left to haul prior to the cut. The master was told directly to haul his final line, return the fish to the sea, and leave BIOT waters.

Note by SFPO CJ: Photos show - vessel details, basic fishing positions on plotter, wire trace, catch in hold.

Active fishing observed directly by Chez + in photos 2. Note vessel was REVISITED a second time just N of Danger where it was hauling its lines.

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

Date and time of first sighting	23/02/2023 05:42		(DD/MM/YY HH:MM)
Sighted by: (insert name)	Ian Bowman	Radar or Visual	R & V
Position of target			
Course° degs			
Speed kts.			
Range nm			
Bearing° degs			
<u>Comments:</u> SSE of Danger Island			
Fisheries Pennant and Sierra Quebec 3 Raised	23/02/2023 07:35		(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	(DD/MM/YY HH:MM)		
Target requested to stop and prepare for boarding	(DD/MM/YY HH:MM)		
Response to request for boarding			

3. LAUNCHING OF RHIB

Time RHIB launched	23/02/2023 07:15		(DD/MM/YY HH:MM)
RHIB Crew (names)	Sgt Billington, & RM Coxn		
<u>Comments on the approach to the FV:</u>			
Photographic Evidence Collected (See Annex 1).	Port	2	
	Starboard		
	Stern		
	Fishing gear		
	Other		

4. BOARDING DETAILS

Date and time vessel boarded	23/02/2023 08:21	(DD/MM/YY HH:MM)	
Position vessel boarded	-6.4900 71.3000		
BPV crew assisting			
Language spoken			
Language Cards used Y/N		Numbers used	

5. CREW DETAILS

Captain's name	A Duminic Raj		
Captain's nationality	Indian		
Captain's address			
Captain's D.o.B	22/03/1972	(DD/MM/YY)	
Number of crew (inc. Captain)	16		
Nationality of Crew	Assumed Indian		
Are any crew under 18 (Y/N), if 'Y' provide details below			
Do any crew have health issues (Y/N), if 'Y' provide details below.			
<u>Health issue details:</u>			
Photographic Evidence Collected (See Annex 1).	Captain ID	2	
	Other crew ID		
	Other	3 crew photos, 1 captain photo	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name		St Marys	
International Callsign			
Flag State		India	
Authorisation to Fish/Fishing Licence No.			
Valid from / to (dd/mm/yyyy)			
Port of Registration		Colachel	
Registration Number		IND-TN-15-MM-5345	
FV owner name and details (as per licence)		Dominic Raj S/O Albart, 3/10/198, St. Thomas Nagar, Thoothoor. Aadhaar (UID): 260065817583	
Fishing logbook No.			
Issuing Authority			
Date of last entry (dd/mm/yyyy)			
Position of last entry			
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.			
Insurance documentation (Y/N)			
Names and addresses of owners	Dominic Raj S/O Albart, 3/10/198, St. Thomas Nagar, Thoothoor. Aadhaar (UID): 260065817583		
Overall length (m)	19.45	Engine Power (hp)	122.0
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence		
	Logbook		
	Boat Departure/Exit		
	Other		Certificate of Registry

7. INTERVIEW WITH CAPTAIN

Time of interview	(HH:MM)
Travelling to or from fishing grounds?	
Port and date of departure	
Total amount of fish onboard (t)	
If fish onboard where caught?	
If fish onboard when caught?	Fishing in BIOT when inspected
If fish onboard how caught?	Long line as photographed.
Destination	
Next port of call	
ETA	(DD/MM/YY)
<u>Comments:</u>	

8. VESSEL INSPECTION

Fishing gear type	Gillnet		
<u>Comments</u>			
Long lines & hand-lines, though registered as a gill-netter			
Catch onboard (estimated/reported t)			
IOTC species onboard (Y/N)		Endangered species onboard (Y/N)	
Description of catch	Red Snapper, Small sharks whole, Emperor, Bludger, Marbled Grouper.		
<u>Comments</u>			
Photographic Evidence Collected (See Annex 1).	Gear		7
	Catch		6
	Hold		17
	Other		

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	unk	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	unk	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Yes	X
Section 7 (1). Is the vessel fishing without a license?	Yes	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	No	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	No	
Other:		
<u>Comments</u> See comments under action taken.		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	No	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	n/a as not an AFV	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	n/a as not an AFV	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	n/a as not an AFV	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	No	X

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Yes	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Yes	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	No	X
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Yes	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Yes	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Yes	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Yes	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	unk	
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	No	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	n/a as no logbook	
15/03 1: Does the vessel have VMS on board?	unk	
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	n/a	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	n/a	
15/03 9. Is the VMS not working due to technical failure?	n/a	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (12/12 binding on Pakistan)	n/a	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	unk	

IOTC Resolution	Yes/No	Non-Compliant (X)
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	unk	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	unk	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	unk	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	Yes (as far as can be ascertained from photographs)	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	unk	
17/05 5. Have shark fins been removed from the carcass?		
12/09 2. Are there any parts or whole carcass of thresher sharks on board?		
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?		
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	
Master given verbal warning and released	X
No further action, vessel released	
<p><u>Comments:</u> Mixture of fish, inc multiple groupers. Multiple sharks are throughout all holds. All small in size. Gear – Large nets, large quantity of wire trace was found throughout vessel and photographed. This vessel was revisited north tip of danger island. When approached the crew were hauling lines. On close proximity, the crew were witnessed cutting line by member of boarding team. The master (on the initial boarding) informed FPO he had one line 4 nautical miles from his position. On the second boarding 2 lines were present in the waters in close proximity to his vessel. Mater and crew were ordered to haul in the line that had been cut on approach. When hauled, the line contained multiple living fish. Photographed on recent image. All fish were still alive and ordered by FPO to return them to the sea de-hooked. A 2ft shark was also hooked. This line had approx.. 500m left to haul prior to the cut. The master was told directly to haul his final line, return the fish to the sea, and leave BIOT waters. Note vessel was REVISITED a second time just N of Danger where it was hauling its lines..</p>	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	(HH:MM)
Time RHIB recovered to the BPV	(HH:MM)
<u>Comments:</u>	

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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:			IOTC Jan 2023
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)	unk	Inspection report ID	
<u>Comments:</u>			

Caradoc Jones (Inspected by ROPO Sherry FPO)

03/05/2023

BIOT Senior Fisheries Protection Officer

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number of photos
Prior to Boarding		Portside	2
		Starboard side	
		Vessel name and identification	3
		Bow	
		Stern	
		Evidence of fishing	
		FV with BPV	
		Other	
Wheel house		Radar	
		GPS	5
		SFPO GPS	
		Radio equipment	
		VMS	
		Plotter	5
Documents		License	
		Logbook	
		Boat departure form	
		Insurance	
		Other documents	4
Crew identification		Captain photos	2
		Crew member photo	4
		Captain identification	2
		Crew identification	
Fishing activity	Fishing equipment	Nets	
		Longline	5
		Wire trace	5
		Hand line	2
		Harpoon	
		Pots / traps / cages	
		Marker buoys	
		Fishing equipment in water	
	Evidence of fishing	Other	
		Blood on deck	
		Catch in water	
		Catch released alive	1
		Hauling	
		Position Gear (start)	
	Holds and catch storage	Position Gear (end)	
		Hold lid on	
		Hold lid off	1
		Catch in hold	17
		Bridge deckhead	
		Catch on deck	4
Security seals			
Other (list)			5 – active fishing

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



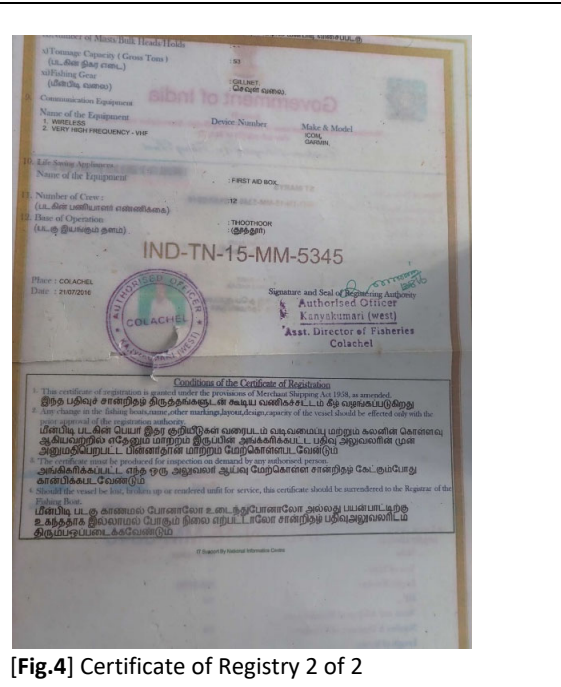
[Fig.1] INDTN15MM5345_ST_MARYS_23_02_2023



[Fig.2] Position within BIOT with marked fishing locations.



[Fig.3] Certificate of Registry 1 of 2



[Fig.4] Certificate of Registry 2 of 2



[Fig.5] Wire trace



[Fig.6]. Unstowed longline sacs on deck



[Fig.7]. Active fishing during inspection



[Fig.8]. Active fishing during inspection



[Fig.9]. Active fishing during inspection



[Fig.10]. Active fishing during inspection



[Fig.11] Selar crumenophthalmus. Big eyed scad.



[Fig.12] Small sharks nei.



[Fig.13] *Lutjanus bohar*



[Fig.14] *Lethrinus* spp.



[Fig.15] Shark



[Fig.16] Wahoo



Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Indian flagged Vessel IND-TN-15-MM-4603 (LORDHU MARIYA).

As required in paragraphs 5 and 6 of Resolution 18/03 completed IOTC Reporting forms for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters for the above referenced Indian flagged vessel have already been submitted.

IND-TN-15-MM-4603 (LORDHU MARIYA) was boarded and inspected on 2 March 2023. It is presumed IUU and fishing contrary to IOTC Conservation Management Measures: The vessel is flagged to India and is a multi-purpose multi-gear vessel operating with gillnets and longline. It is not on the IOTC list of Authorised fishing vessels and we believe not authorized to fish outside the Indian EEZ. It was equipped to catch tuna and tuna like species and is thus presumed Illegal and Unregulated (fishing without authorization in the IOTC area and BIOT), and Unreported (IUU). This vessel was operating with other vessels on which IOTC species were observed in the catch during boarding and inspection by the Senior Fisheries Protection Officer (SFPO). Nevertheless, for the 2024 IOTC Draft IUU Vessels List, as was the case in 2023, we will only recommend IUU Listing (Recommendation (c)) for those vessels where we have evidence of fishing and tuna and tuna like species on board. IOTC species were not observed on this vessel.

The attached evidence shows that:

- This vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- It did not submitted a transit report prior to entry into the FCMZ and did not have a VMS present onboard.
- The vessel was previously inspected on 22 February 2023. UK notified the details of this vessel to India on 5 April 2023.
- It was fishing illegally without a licence within BIOT waters. No IOTC managed species were observed on inspection.
- The UK requested the Indian Authorities to conduct a regulatory investigation into the activities of this vessel, including any vessel monitoring system (VMS) data and to indicate any legal action against the owner and Master (skipper) it.
- India has not responded to any of UK's communications.

As no IOTC managed species were observed on this vessel we present them to IOTC Compliance Committee with recommendation a) **'Notification to IOTC Secretariat only. No further action is**

recommended'. However, UK would like to draw the following to the attention of the Compliance Committee:

No evidence of any investigation into the activities of this or any other vessel was provided to UK. This demonstrates India's disregard of, and failure to implement, its flag State Controls, and we recall paragraph 159 of the Report of the 20th Compliance Committee Meeting which set out four points for India to address in this regard, to be reported at CoC21. We also propose that the Compliance Committee reiterates this request for the upcoming intersessional period, reporting in 2025 to CoC22.

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, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting forms for Illegal Activity, IND-TN-15-MM-4603
(LORDHU MARIYA)

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	Lordhu Mariya
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	Photographic Evidence_CJ059_IN-DTN15MM5345_ST_MARYS_23_02_2023.docx
f	Call Sign	Unknowan
	Previous call sign, if any	
g	Owner	Dominic Raj S/O Albart
	Previous Owner/s, if any	
h	Operator	Unknown

Previous Operator/s, if any

Master/Fishing Master

i	Date of alleged IUU fishing activities	02/03/2023
j	Position of alleged IUU fishing activities	5° 50' 24" S 72° 33' 36" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	<i>Enter the summary of actions known to have been taken in respect of the alleged IUU fishing activities</i>
m	Outcome of actions taken	<i>Enter the outcome of actions taken</i>

B. Details of IOTC Resolution Elements Contravened

Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;; k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_CJ066_INDTN15MM4603_LORD-HU_MARIYA_02_03_2023.docx
2	Inspection report	No file(s) uploaded

3	-	No file(s) uploaded
4	-	No file(s) uploaded
5	-	No file(s) uploaded
6		No file(s) uploaded

Upload any other documents below, if any

[Photographic_Evidence_CJ066_INDTN15MM4603_LORDHU_MARIYA_02_03_2023.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

a. Notification to IOTC Secretariat only. No further actionis recommended.

Additional information can be provided below:

Additional information

Legal Obligation

1. SUMMARY

Date of boarding	02/03/2023
Patrol type and number	FIPA138
Vessel name	Lourdhu Mariya
Vessel type	Longliner
Vessel flag and port of reg.	India, Colachel
Vessel Registration No.	IND-TN-15-MM-4603
IOTC# (if registered)	Not registered
Vessel Captain's name	unk (not legible from document image)
SFPO	Cpl Barker RMs, Mne Ferguson RMs (FPO).
BPV crew assisting	

Action Taken: Whilst conducting the boarding of FV 1, the daughter craft stopped FV 4. Following the boarding of FV1, Lourdhu Mariya was boarded and inspected. Evidence of fishing gear used and fish onboard was collected. *(Note by CJ: SFPO This vessel along with three other vessels that were boarded at the same time were gathered together and escorted overnight away to the NE from the fishing grounds being released at 07:00 hrs on the 03/03/2023 at -4.4057°S 73.2940°E with instructions to continue on their course to leave the MPA.). This vessel previously 'inspected' on 22/02/2022 - report RD029, but minimal info collected; given a verbal warning then.*

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

Date and time of first sighting	02/02/2023 09:16 (DD/MM/YY HH:MM)		
Sighted by: (insert name)	Caradoc Jones (SFPO)	Radar or Visual	V
Position of target	-5.6170 72.5090		
Course° degs	unk		
Speed kts.	unk		
Range nm	04.00		
Bearing° degs	315		
<u>Comments:</u>			
Fisheries Pennant and Sierra Quebec 3 Raised	2/02/2023 07:20		(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	02/02/2023 09:16		(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	02/02/2023 09:16		(DD/MM/YY HH:MM)
Response to request for boarding	Vessel hove to		

3. LAUNCHING OF RHIB

Time RHIB launched	02/02/2023 07:15 (DD/MM/YY HH:MM)		
RHIB Crew (names)	Donald MacFarlane, Kevin Duthie		
<u>Comments on the approach to the FV:</u>			
Photographic Evidence Collected (See Annex 1).	Port	3	
	Starboard	1	
	Stern		
	Fishing gear		
	Other		

4. BOARDING DETAILS

Date and time vessel boarded	02/02/2023 12:47 (DD/MM/YY HH:MM)		
Position vessel boarded	-5.8400 72.5600		
BPV crew assisting			
Language spoken			
Language Cards used Y/N		Numbers used	

5. CREW DETAILS

Captain's name	Unknown	
Captain's nationality	Indian	
Captain's address	Unknown	
Captain's D.o.B	22/03/1972	(DD/MM/YY)
Number of crew (inc. Captain)	15	
Nationality of Crew		
Are any crew under 18 (Y/N), if 'Y' provide details below		
Do any crew have health issues (Y/N), if 'Y' provide details below.		
<u>Health issue details:</u>		
Photographic Evidence Collected (See Annex 1).	Captain ID	3
	Other crew ID	
	Other	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name		LORDHU MARIYA	
International Callsign			
Flag State		India	
Authorisation to Fish/Fishing Licence No.			
Valid from / to (dd/mm/yyyy)			
Port of Registration		Colachel	
Registration Number		IND-TN-15-MM-4603	
FV owner name and details (as per licence)		not visible	
Fishing logbook No.		no logbook	
Issuing Authority		n/a	
Date of last entry (dd/mm/yyyy)		n/a	
Position of last entry		n/a n/a	
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.		none	
Insurance documentation (Y/N)		N	
Names and addresses of owners	not visible		
Overall length (ft/m)	not visible	Engine Power (KW/hp)	not visible
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence		
	Logbook		
	Boat Departure/Exit		
	Other		Cert of Reg but poor quality image. Capt ID card - UID only visible.

7. INTERVIEW WITH CAPTAIN

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

8. VESSEL INSPECTION

Fishing gear type	
<u>Comments</u>	
Catch onboard (estimated/reported t)	
IOTC species onboard (Y/N)	Endangered species onboard (Y/N)
Description of catch	Eagle rays and various mixed fishes
<u>Comments:</u>	
Photographic Evidence Collected (See Annex 1).	Gear
	Catch
	Hold
	Other

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	unk	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?		
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	No	
Section 7 (1). Is the vessel fishing without a license?	Yes	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	No	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	No	
Other:		
<u>Comments</u>		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	No	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	n/a as not an AFV	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	n/a as not an AFV	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	n/a as not an AFV	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	No	X
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Yes	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Yes	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	unk	
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Yes	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Yes	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Yes	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Yes	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	unk	
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	No	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	No (as there is no logbook in the first place)	X

IOTC Resolution	Yes/No	Non-Compliant (X)
15/03 1: Does the vessel have VMS on board?	unk	
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	n/a	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	n/a	
15/03 9. Is the VMS not working due to technical failure?	n/a	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (12/12 binding on Pakistan)	unk	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	unk	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	Yes?(Check ID Fig 14???)	X
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	No(no official logbook and not recording anything)	X
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	No(no official logbook and not recording anything)	X
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	unk	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	unk	
17/05 5. Have shark fins been removed from the carcass?	unk	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	unk	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	No	X
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	
Master given verbal warning and released	X
No further action, vessel released	
<u>Comments:</u> This vessel was escorted away from the fishing grounds along with three other fishing vessels also inspected that day..	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	(HH:MM)
Time RHIB recovered to the BPV	(HH:MM)
<u>Comments:</u>	

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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)			N
Version of IOTC database referenced:			MRAG/IOTC January 2023
Vessel previously boarded (Y/N)	Y	Inspection report ID	RD029 - 22/02/2022
Master previously boarded (Y/N)	unk	Inspection report ID	
Owner previously boarded (Y/N)	unk	Inspection report ID	
Crew previously boarded (Y/N)	unk	Inspection report ID	
<u>Comments:</u> RD029 error in Vessel Reg No with final 3 identified as 8			

Caradoc Jones. (Boarding by Marines Barker and Fergusson - FPO)

05/04/2023

BIOT Senior Fisheries Protection Officer

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number of photos
Prior to Boarding		Portside	5
		Starboard side	1
		Vessel name and identification	9
		Bow	4
		Stern	
		Evidence of fishing	
		FV with BPV	1
		Other	
Wheel house		Radar	
		GPS	4
		SFPO GPS	
		Radio equipment	
		VMS	
		Plotter	2
Documents		License	
		Logbook	
		Boat departure form	
		Insurance	
		Other documents	3-Certificate of Registry
Crew identification		Captain photos	1
		Crew member photo	1
		Captain identification	3
		Crew identification	
Fishing activity	Fishing equipment	Nets	
		Longline	2
		Wire trace	
		Hand line	2
		Harpoon	
		Pots / traps / cages	
		Marker buoys	3
		Fishing equipment in water	
	Other		
	Evidence of fishing	Blood on deck	
		Catch in water	
		Catch released alive	
		Hauling	
		Position Gear (start)	
		Position Gear (end)	
	Holds and catch storage	Hold lid on	
		Hold lid off	
		Catch in hold	1
		Bridge deckhead	
		Catch on deck	
Security seals			
Other (list)			

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

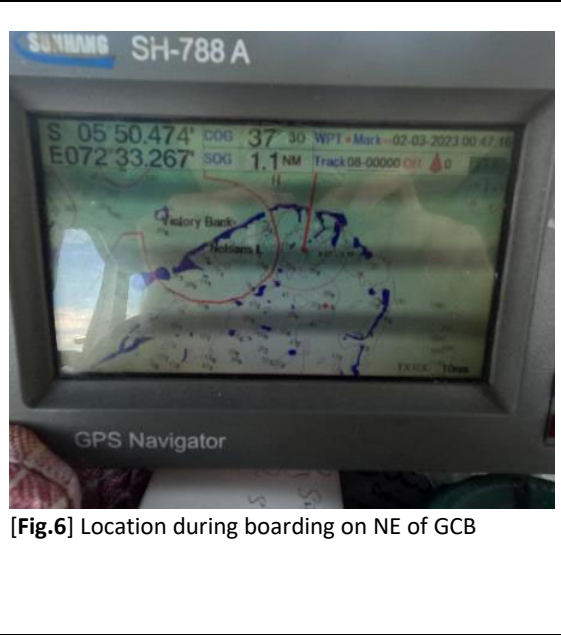
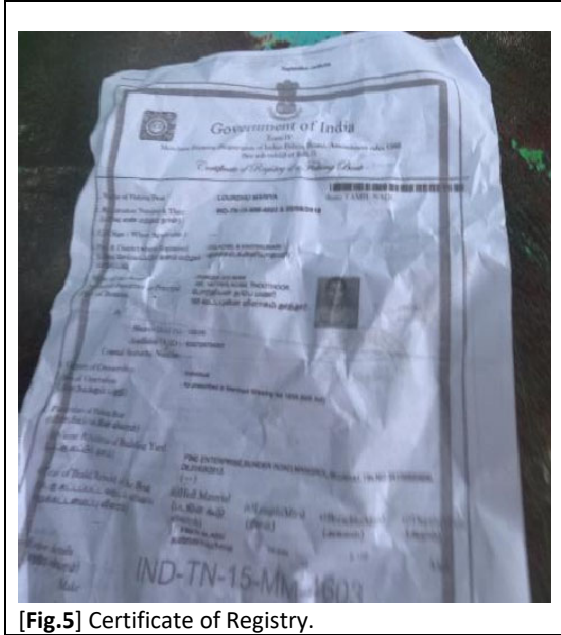
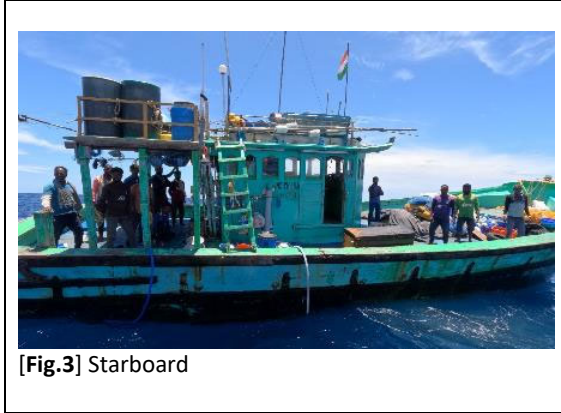
See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.

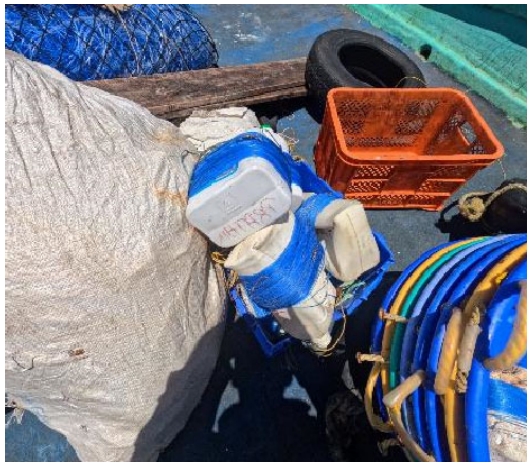




[Fig.7] Longlines, handlines, floats
BPV in background



[Fig.8] Fishing gear on fore-deck.



[Fig.9] Handlines



[Fig.10] Unfrozen bait prepared for fishing



[Fig.11] Large Ray in hold.



Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: IND-TN-15-MM-5271 (EPHRAEEM 1).

As required in paragraphs 5 and 6 of Resolution 18/03, completed IOTC Reporting forms for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters for the above referenced Indian flagged vessel have already been submitted.

IND-TN-15-MM-5271 (EPHRAEEM 1) was boarded and inspected on 28 March 2023. It is presumed IUU and fishing contrary to IOTC Conservation Management Measures: The vessel is flagged to India and is a multi-purpose multi-gear vessel operating with gillnets and longline. It is not on the IOTC list of Authorised fishing vessels and we believe not authorized to fish outside the Indian EEZ. It was equipped to catch tuna and tuna like species and is thus presumed Illegal and Unregulated (fishing without authorization in the IOTC area and BIOT), and Unreported (IUU). This vessel was operating with other vessels on which IOTC species were observed in the catch during boarding and inspection by the Senior Fisheries Protection Officer (SFPO). Nevertheless, for the 2024 IOTC Draft IUU Vessels List, as was the case in 2023, we will only recommend IUU Listing (Recommendation (c)) for those vessels where we have evidence of fishing and tuna and tuna like species on board. IOTC species were not observed on this vessel.

The attached evidence shows that:

- This vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- It did not submitted a transit report prior to entry into the FCMZ and did not have a VMS present onboard.
- This vessel was previously sighted in BIOT on 27 May 2016 where it was detained and found guilty of illegal fishing. UK notified the details of the most recent inspection to India on 3 August 2023.
- It was fishing illegally without a licence within BIOT waters. No IOTC managed species were observed on inspection.
- The UK requested the Indian Authorities to conduct a regulatory investigation into the activities of this vessel, including any vessel monitoring system (VMS) data and to indicate any legal action against the owner and Master (skipper) it.
- India has not responded to any of UK's communications.

As no IOTC managed species were observed on this vessel we present them to IOTC Compliance Committee with recommendation a) **'Notification to IOTC Secretariat only. No further action is**

recommended'. However, UK would like to draw the following to the attention of the Compliance Committee:

No evidence of any investigation into the activities of this or any other vessel was provided to UK. This demonstrates India's disregard of, and failure to implement, its flag State Controls, and we recall paragraph 159 of the Report of the 20th Compliance Committee Meeting which set out four points for India to address in this regard, to be reported at CoC21. We also propose that the Compliance Committee reiterates this request for the upcoming intersessional period, reporting in 2025 to CoC22.

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 blue ink, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark
UK Delegation to IOTC
Supporting evidence: IND-TN-15-MM-5271 (EPHRAEEM 1).

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	Ephraeem 1 (INDTN15MM5271)
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	<i>No file(s) uploaded</i>
f	Call Sign	Unknowan
	Previous call sign, if any	
g	Owner	Jegan S/O Yusudhasan
	Previous Owner/s, if any	
h	Operator	UNK and Maria Jamald

	Previous Operator/s, if any	
	Master/Fishing Master	
i	Date of alleged IUU fishing activities	28/04/2023
j	Position of alleged IUU fishing activities	6o 05` 930" S 71o 29` 889" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization, no tuna or tunal-ike species observed. (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	None

B. Details of IOTC Resolution Elements Contravened Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;; k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_DT002_EPHRAEEM_1_28042023.docx
2	Inspection report	No file(s) uploaded

3	-	No file(s) uploaded
4	-	No file(s) uploaded
5	-	No file(s) uploaded
6		No file(s) uploaded

Upload any other documents below, if any

[BIOT_2023_DT002_Photographic_Evidence_EPHRAEEM_1_INDTN15MM5271_28042023.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

a. Notification to IOTC Secretariat only. No further actionis recommended.

Additional information can be provided below:

Additional information

BIOT INSPECTION REPORT – DT002

1. SUMMARY

Date of boarding	28/04/2023
Patrol type and number	FIPA 141
Vessel name	Ephraem 1
Vessel type	Gillnet (+LL and handline)
Vessel flag and port of reg.	India, Colachel and Kanyakumari
Vessel Registration No.	IND-TN-15-MM-5271
IOTC# (if registered)	N
Vessel Captain's name	Maria Jamald
SFPO	Daniel Teixeira
BPV crew assisting	Gerald Harvey (1 st Coxn), Lee Kelly (2 nd Coxn) and Royal Marine Macauley Robinson
<p><u>Action Taken:</u> Two Indian FVs, Ephraem 1 and Ephraem, were spotted at 03:50, lights seen 10NM on Port bow. Plan was prepared for early boarding. Ephraem 1 was boarded at 08:35, 28/04/2023, at 6°05'930 S 71°29'889 E. Stationary all through the night, most likely to have been fishing/handlining throughout. RM accompanied the SFPO at the boarding, this occurring easily with no obstruction from the FV crew. Once aboard and after initial assessment SFPO engaged with the captain for information, very difficult to obtain. Little information was provided and logbook as well as fishing licence or insurance documents were not produced. Information regarding dates, positions and departure or port exits not available. All four holds were inspected from bow to stern. Portside hold showed fish stuck in ice all the way to the top of the hold making it impossible to do a proper catch assessment. By the end of the inspection the Ephraem 1 was told to wait while boarding party inspected second FV, Ephraem, at which point both FVs would both be gone leaving BIOT northwards. While boarding party was inspecting second FV Ephraem, the Ephraem 1 was seen hauling gillnet with catch. BPV stopped escorting both FVs in position 05°58.1 S 71°30.8 E. BPV proceeded to DG.</p>	

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

Date and time of first sighting	28/04/2023 03:50		(DD/MM/YY HH:MM)		
Sighted by: (insert name)	OOW Dave Stockton	Radar	x	Visual	X
Position of target	6°07'1 S 71°29'7 E				
Course	167°				
Speed	1.5				
Range	10.7				
Bearing	180°				
<u>Comments:</u> Lights were spotted during the night coming from the entrance to the banks.					
Fisheries Pennant and Sierra Quebec 3 Raised	28/04/2023 08:04	08:00(DD/MM/YY HH:MM)			

BIOT INSPECTION REPORT – DT002

Vessel called on VHF CH16 and MF 2182.0	28/04/2023 08:04	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	25/04/2023 08:04	(DD/MM/YY HH:MM)
Response to request for boarding	<i>No response</i>	

3. LAUNCHING OF RHIB

Time RHIB launched	28/04/2023 08:10	(DD/MM/YY HH:MM)
RHIB Crew (<i>names</i>)	Gerald Harvey (1st Coxn), Lee Kelly (2nd Coxn) and RM Macauley Robinson (boarding), Daniel Teixeira (SFPO)	
<u>Comments on the approach to the FV:</u> FV did not present any problems to approach, waited and followed instructions from boarding crew.		
Photographic Evidence Collected (See Annex 1).	Port	2
	Starboard	2
	Stern	2
	Fishing gear	0
	Other	0

4. BOARDING DETAILS

Date and time vessel boarded	28/04/2023 08:35	(DD/MM/YY HH:MM)
Position vessel boarded	6°05'930 S 71°29'889 E	
BPV crew assisting	Royal Marine Macauley Robinson	
Language spoken	English, Hindi Tamil	
Language Cards used Y/N	Y	Numbers used 0, 3, 4, 6, 10, 11, 12, 13, 16, 17, 18

5. CREW DETAILS

Captain's name	Maria Jamald	
Captain's nationality	Indian	
Captain's address	S/O Yusudhsan 3-10-216 Vattavilagam, Thoothoor Vilavacancode Kanniykumari, Thuthur, Tamil Nadu 629176	
Captain's D.o.B	01/07/1993	(DD/MM/YY)
Number of crew (inc. Captain)	15	
Nationality of Crew	Indian	
Are any crew under 18 (Y/N), if 'Y' provide details below	unk	

BIOT INSPECTION REPORT – DT002

Do any crew have health issues (Y/N), if 'Y' provide details below.	Unk	
<u>Health issue details:</u>		
Photographic Evidence Collected (See Annex 1).	Captain ID	2
	Other crew ID	N
	Other	N

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Ephraem 1		
International Callsign	N/A		
Flag State	India		
Authorisation to Fish/Fishing Licence No.	No licence		
Valid from / to (dd/mm/yyyy)	N/A		
Port of Registration	Colachel & Kaniyakumari		
Registration Number	IND-TN-15-MM-5271		
FV owner name and details (as per licence)	Jegan S/O Yusudhasan		
Fishing logbook No.	N/Unk		
Issuing Authority	N/Unk		
Date of last entry (dd/mm/yyyy)	Unk		
Position of last entry	Unk		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Unk		
Insurance documentation (Y/N)	Unk		
Names and addresses of owners	Jegan S/O Yusudhasan 16/285, St. Thomas Colony, Thoothoor		
Overall length (ft/m)	18.6	Engine Power (KW/hp)	106
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence	No	
	Logbook	no logbook	
	Boat Departure/Exit	no document	
	Other	Cert of Reg. (2)	

BIOT INSPECTION REPORT – DT002

7. INTERVIEW WITH CAPTAIN

Time of interview	28/04/2023 08:39	(HH:MM)
Travelling to or from fishing grounds?	To and from	
Port and date of departure	Thengaipattinam 12/04/2023	
Total amount of fish onboard (t)	700 kg shark	
If fish onboard where caught?	Not answered	
If fish onboard when caught?	Unk	
If fish onboard how caught?	Net	
Destination	Unk	
Next port of call	Unk	
ETA	Unk	(DD/MM/YY)
<u>Comments:</u> Very difficult communication.		

8. VESSEL INSPECTION

Fishing gear type	X6 longlines, x2 gillnets		
<u>Comments</u> x1 gillnet deployed			
Catch onboard (estimated/reported t)	4t estimate, 1 hold		
IOTC species onboard (Y/N)	Unk	Endangered species onboard (Y/N)	Unk
Description of catch			
<u>Comments:</u> Of the four existing holds, three were cleared of fish while the portside hold inspection was impossible to do as ice was stocked up all the way to the top.			
Photographic Evidence Collected (See Annex 1).	Gear	8	
	Catch	1	
	Hold	12	
	Other	0	

BIOT INSPECTION REPORT – DT002

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	N	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	N	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	N (not seen)	
Section 7 (1). Is the vessel fishing without a license?	Y	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	N	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	Y (considering that other than cert. of registry and captain's ID no additional documents were produced)	X
Other:		
<u>Comments:</u> One gillnet deployed.		

BIOT INSPECTION REPORT – DT002

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	N	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	N/A	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	N/A	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	N/A	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	N	X
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Y	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Y	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	N	X
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Y	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Y	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Y	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Y	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	N	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	N	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	N/A	
15/03 1: Does the vessel have VMS on board?	N	X

BIOT INSPECTION REPORT – DT002

IOTC Resolution	Yes/No	Non-Compliant (X)
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	N/A	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	N/A	
15/03 9. Is the VMS not working due to technical failure?	N/A	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	Unk	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	N	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	N	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	N	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	Unk	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	Unk	
17/05 5. Have shark fins been removed from the carcass?	Unk	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	Unk	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	N	X
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	X

BIOT INSPECTION REPORT – DT002

Master given verbal warning and released	X
No further action, vessel released	
<u>Comments:</u> FV ordered to collect gear and leave BIOT. BPV stopped escorting Ephraem 1 in position 05°58.1 S 71°30.8 E.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	09:30	(HH:MM)
Time RHIB recovered to the BPV	12:10	(HH:MM)
<u>Comments:</u> Time between disembarking and recovery spent doing boarding inspection to Ephraem FV (InspectionReport_003_DT_EPHRAEEM_28042023).		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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)			N
Version of IOTC database referenced:			IOTC website
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	
<u>Comments:</u>			

Daniel Barros Teixeira
BIOT Senior Fisheries Protection Officer

29/04/2023

BIOT INSPECTION REPORT – DT002

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number photos	of
Prior to Boarding		Portside	2	
		Starboard side	2	
		Vessel name and identification	3	
		Bow	2	
		Stern	2	
		Evidence of fishing	8	
		FV with BPV	3	
		Other		
Wheel house		Radar		
		GPS		
		SFPO GPS		
		Radio equipment		
		VMS		
		Plotter		
Documents		License	1	
		Logbook	0	
		Boat departure form	0	
		Insurance	0	
		Other documents	2	Registry
Crew identification		Captain photos	1	
		Crew member photo	1	
		Captain identification	2	
		Crew identification	1	
Fishing activity	Fishing equipment	Nets		
		Longline	2	
		Wire trace		
		Hand line		
		Harpoon		
		Pots / traps / cages		
		Marker buoys		
		Fishing equipment in water	Two longlines	
		Other		
	Evidence of fishing	Blood on deck		
		Catch in water		
		Catch released alive		
		Hauling	2	
		Position Gear (start)	See ECDIS	
		Position Gear (end)		
	Holds and catch storage	Hold lid on		
		Hold lid off		
		Catch in hold	3	
Bridge deckhead				
Catch on deck				
Security seals				
Other (list)				

BIOT INSPECTION REPORT – DT002

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



[Fig. 1] Ephraem 1 Starboard Side



[Fig. 2] Ephraem 1 Starboard Side



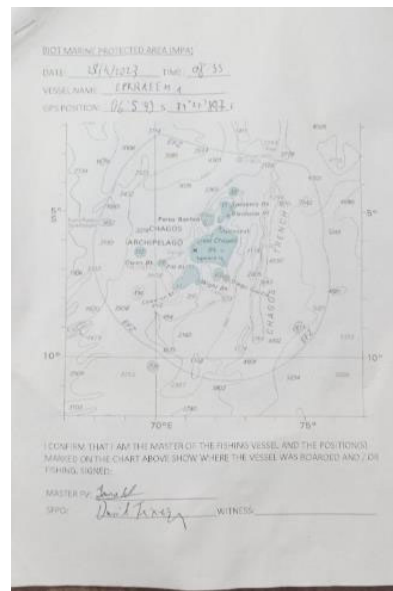
[Fig. 3] Ephraem 1 Stern



[Fig. 4] Ephraem 1 Portside



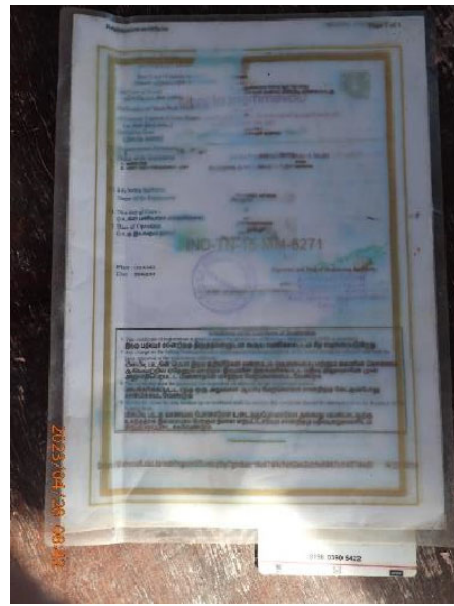
[Fig. 5] Ephraem 1 Portside



[Fig. 6] Ephraem 1 Boarding Position Confirmation



[Fig. 13] Certificate of Registry 1 of 2.



[Fig 14] Certificate of Registry 2 of 2.



[Fig. 15] Portside hold stocked full



[Fig 16] Fishing gear. X2 gillnets, x4 longlines.



[Fig 17] Fishing gear.



[Fig 18] Fishing gear. X1 longline.



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: IND-TN-15-MM-4779 (EPHRAEEM).

As required in paragraphs 5 and 6 of Resolution 18/03 completed IOTC Reporting forms for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters for the above referenced Indian flagged vessel have already been submitted.

IND-TN-15-MM-4779 (EPHRAEEM) was boarded and inspected on 28 March 2023. It is presumed IUU and fishing contrary to IOTC Conservation Management Measures: The vessel is flagged to India and is a multi-purpose multi-gear vessel operating with gillnets and longline. It is not on the IOTC list of Authorised fishing vessels and we believe not authorized to fish outside the Indian EEZ. It was equipped to catch tuna and tuna like species and is thus presumed Illegal and Unregulated (fishing without authorization in the IOTC area and BIOT), and Unreported (IUU). This vessel was operating with other vessels on which IOTC species were observed in the catch during boarding and inspection by the Senior Fisheries Protection Officer (SFPO). Nevertheless, for the 2024 IOTC Draft IUU Vessels List, as was the case in 2023, we will only recommend IUU Listing (Recommendation (c)) for those vessels where we have evidence of fishing and tuna and tuna like species on board. IOTC species were not observed on this vessel.

The attached evidence shows that:

- This vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- It did not submitted a transit report prior to entry into the FCMZ and did not have a VMS present onboard.
- This vessel was previously sighted in BIOT on 27 May 2016 where it was detained and found guilty of illegal fishing. UK notified the details of the most recent inspection to India on 3 August 2023.
- It was fishing illegally without a licence within BIOT waters. No IOTC managed species were observed on inspection.
- The UK requested the Indian Authorities to conduct a regulatory investigation into the activities of this vessel, including any vessel monitoring system (VMS) data and to indicate any legal action against the owner and Master (skipper) it.
- India has not responded to any of UK's communications.

As no IOTC managed species were observed on this vessel we present them to IOTC Compliance Committee with recommendation a) **'Notification to IOTC Secretariat only. No further action is**

recommended'. However, UK would like to draw the following to the attention of the Compliance Committee:

No evidence of any investigation into the activities of this or any other vessel was provided to UK. This demonstrates India's disregard of, and failure to implement, its flag State Controls, and we recall paragraph 159 of the Report of the 20th Compliance Committee Meeting which set out four points for India to address in this regard, to be reported at CoC21. We also propose that the Compliance Committee reiterates this request for the upcoming intersessional period, reporting in 2025 to CoC22.

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, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IND-TN-15-MM-4779 (EPHRAEEM).

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	Ephraeem 1 (INDTN15MM5271)
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	<i>No file(s) uploaded</i>
f	Call Sign	Unknowan
	Previous call sign, if any	
g	Owner	Jegan S/O Yusudhasan
	Previous Owner/s, if any	
h	Operator	UNK and Maria Jamald

	Previous Operator/s, if any	
	Master/Fishing Master	
i	Date of alleged IUU fishing activities	28/04/2023
j	Position of alleged IUU fishing activities	6o 05` 930" S 71o 29` 889" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization, no tuna or tunal-ike species observed. (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	None

B. Details of IOTC Resolution Elements Contravened Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;; k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_DT002_EPHRAEEM_1_28042023.docx
2	Inspection report	No file(s) uploaded

3	-	No file(s) uploaded
4	-	No file(s) uploaded
5	-	No file(s) uploaded
6		No file(s) uploaded

Upload any other documents below, if any

[BIOT_2023_DT002_Photographic_Evidence_EPHRAEEM_1_INDTN15MM5271_28042023.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

a. Notification to IOTC Secretariat only. No further actionis recommended.

Additional information can be provided below:

Additional information

BIOT INSPECTION REPORT – DT003

1. SUMMARY

Date of boarding	28/04/2023
Patrol type and number	FIPA 141
Vessel name	Ephraem
Vessel type	Gillnet (+LL and handline)
Vessel flag and port of reg.	India, Colachel and Kanyakumari
Vessel Registration No.	IND-TN-15-MM-4779
IOTC# (if registered)	N
Vessel Captain's name	Jagadees Yesudhasan
SFPO	Daniel Teixeira
BPV crew assisting	Gerald Harvey (1 st Coxn), Lee Kelly (2 nd Coxn) and Royal Marine Macauley Robinson
<p><u>Action Taken:</u> Two Indian FVs, Ephraem 1 and Ephraem, were spotted at 03:50, lights seen 10NM on Port bow. Plan was prepared for early boarding. After Ephraem 1 was boarded and inspected (InspectionReport_002_DT_EPHRAEEM_1_28042023) ending at 09:30, Ephraem was boarded at 09:48, 28/04/2023, at 6°07'025 S 71°29'056. Both showed similar behaviour, being motionless all through the night from point of first sighting, most likely to have been fishing throughout. RM accompanied the SFPO at the boarding, no signs of potential violence or aggression from the FV crew. Aboard the FV SFPO started dialogue with the captain. Although no signs of hinderance, information requested was not provided, using language barrier as an excuse. Neither logbook, fishing licence or insurance documents were produced. All four holds were inspected. Portside hold was inspected and catch assessment was made possible, resulting in a rough estimate of 4 t of mixed fish species. 10:30-11:45 Ephraem captain was told to collect fishing net while SFPO and RM stayed on the vessel. Ending inspection captain was told to draw near Ephraem 1 so both could be once again ordained to leave BIOT under escort of BPV. BPV stopped escorting both FVs in position 05°58.1 S 71°30.8 E. BPV proceeded to DG.</p>	

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

Date and time of first sighting	28/04/2023 03:50	(DD/MM/YY HH:MM)	
Sighted by: (insert name)	OOW Dave Stockton	Radar	Visual
Position of target	6°07'1 S 71°29'7 E		
Course	274°		
Speed	1.8		
Range	9.4		
Bearing	181°		
<u>Comments:</u> Lights were spotted during the night coming from the entrance to the banks.			

BIOT INSPECTION REPORT – DT003

Fisheries Pennant and Sierra Quebec 3 Raised	28/04/2023 08:04	08:00(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	28/04/2023 08:04	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	25/04/2023 08:04	(DD/MM/YY HH:MM)
Response to request for boarding	<i>No response</i>	

3. LAUNCHING OF RHIB

Time RHIB launched	28/04/2023 08:10 (DD/MM/YY HH:MM)	
RHIB Crew (<i>names</i>)	Gerald Harvey (1st Coxn), Lee Kelly (2nd Coxn) and RM Macauley Robinson (boarding), Daniel Teixeira (SFPO)	
Comments on the approach to the FV: FV did not present any problems to approach, waited and followed instructions from boarding crew.		
Photographic Evidence Collected (See Annex 1).	Port	2
	Starboard	2
	Stern	1
	Fishing gear	0
	Other	

4. BOARDING DETAILS

Date and time vessel boarded	28/04/2023 09:48 (DD/MM/YY HH:MM)	
Position vessel boarded	6°07'025 S 71°30'056 E	
BPV crew assisting	Royal Marine Macauley Robinson	
Language spoken	English, Hindi Tamil	
Language Cards used Y/N	Y	Numbers used 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 16, 17, 18

5. CREW DETAILS

Captain's name	Jagadees Yesudhasan
Captain's nationality	Indian
Captain's address	III-10/84C, Vaattavilagam, Thoothoor, KK District, Tamil Nadu 629251
Captain's D.o.B	20/08/1979 (DD/MM/YY)
Number of crew (inc. Captain)	15
Nationality of Crew	Indian

BIOT INSPECTION REPORT – DT003

Are any crew under 18 (Y/N), if 'Y' provide details below	unk	
Do any crew have health issues (Y/N), if 'Y' provide details below.	Unk	
<u>Health issue details:</u>		
Photographic Evidence Collected (See Annex 1).	Captain ID	2
	Other crew ID	N
	Other	1 Captain (individual) fishing licence with other address (recent)

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Ephraeem		
International Callsign	N/A		
Flag State	India		
Authorisation to Fish/Fishing Licence No.	No licence		
Valid from / to (dd/mm/yyyy)	N/A		
Port of Registration	Colachel & Kanyakumari		
Registration Number	IND-TN-15-MM-4779		
FV owner name and details (as per licence)	Jagadesh S/O Yesudasan		
Fishing logbook No.	N/Unk		
Issuing Authority	N/Unk		
Date of last entry (dd/mm/yyyy)	Unk		
Position of last entry	Unk		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Unk		
Insurance documentation (Y/N)	Unk		
Names and addresses of owners	Jagadesh S/O Yusudhasan III-10/84C, Vaattavilagam, Thoothoor, KK District, Tamil Nadu 629251		
Overall length (ft/m)	19.850	Engine Power (KW/hp)	122
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence	No (claimed forgotten at home)	
	Logbook	no logbook	
	Boat Departure/Exit	no document	
	Other	Cert of Reg. (2)	

BIOT INSPECTION REPORT – DT003

7. INTERVIEW WITH CAPTAIN

Time of interview	28/04/2023 09:55	(HH:MM)
Travelling to or from fishing grounds?	To and from	
Port and date of departure	Thakapatanam 12/04/2023	
Total amount of fish onboard (t)	1.7 t	
If fish onboard where caught?	Not answered	
If fish onboard when caught?	Unk	
If fish onboard how caught?	Net	
Destination	Unk	
Next port of call	Unk	
ETA	Unk	(DD/MM/YY)
<u>Comments:</u> Very difficult communication.		

8. VESSEL INSPECTION

Fishing gear type	X10 longlines, x2 gillnets		
<u>Comments</u> x1 gillnet deployed			
Catch onboard (estimated/reported t)	4t estimate, 1 hold		
IOTC species onboard (Y/N)	Unk	Endangered species onboard (Y/N)	Unk
Description of catch			
<p><u>Comments:</u> Of the four existing holds, three were cleared of fish. Catch in the portside hold was inspected and four booths were complete with fish stocked with ice. Catch composition:</p> <p>Crescent tail bigeye (<i>Priacanthus hamrur</i>)</p> <p>Wahoo (<i>Acanthocybium solandri</i>)</p> <p>Yellow-dotted trevally (<i>Carangoides fulvoguttatus</i>)</p> <p>Blue lined large eye bream (<i>Gymnocranius robinsoni</i>)</p> <p>Redmouth grouper (<i>Aethaloperca rogaa</i>)</p> <p>Sharks (namely tiger sharks)</p>			
Photographic Evidence Collected (See Annex 1).	Gear		8
	Catch		1
	Hold		7
	Other		0

BIOT INSPECTION REPORT – DT003

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	N	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	N	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Y (wire trace)	X
Section 7 (1). Is the vessel fishing without a license?	Y	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	N	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	Y (considering that other than cert. of registry and captain's ID no additional documents were produced)	X
Other:		
<u>Comments:</u> One gillnet deployed.		

BIOT INSPECTION REPORT – DT003

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	N	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	N/A	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	N/A	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	N/A	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	N	X
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Y	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Y	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	N	X
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Y	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Y	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Y	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Y	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	N	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	N	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	Unk	
15/03 1: Does the vessel have VMS on board?	N	X

BIOT INSPECTION REPORT – DT003

IOTC Resolution	Yes/No	Non-Compliant (X)
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	N/A	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	N/A	
15/03 9. Is the VMS not working due to technical failure?	N/A	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	Unk	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	N	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	N	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	N	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	Unk	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	Unk	
17/05 5. Have shark fins been removed from the carcass?	Unk	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	Unk	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	N	X
<u>Comments</u>		

BIOT INSPECTION REPORT – DT003

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	x
Master given verbal warning and released	x
No further action, vessel released	
<u>Comments:</u> FV ordered to collect gear and leave BIOT. BPV stopped escorting Ephraem in position 05°58.1 S 71°30.8 E.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	11:45	(HH:MM)
Time RHIB recovered to the BPV	12:10	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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)			N
Version of IOTC database referenced:			IOTC website
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	
<u>Comments:</u>			

Daniel Barros Teixeira
BIOT Senior Fisheries Protection Officer

29/04/2023

BIOT INSPECTION REPORT – DT003

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number photos of
Prior to Boarding		Portside	2
		Starboard side	2
		Vessel name and identification	1
		Bow	0 (anchor position)
		Stern	1
		Evidence of fishing	6
		FV with BPV	1
		Other	
Wheel house		Radar	
		GPS	1
		SFPO GPS	
		Radio equipment	
		VMS	
		Plotter	
Documents		License	1
		Logbook	0
		Boat departure form	0
		Insurance	0
		Other documents	2 Registry
Crew identification		Captain photos	1
		Crew member photo	1
		Captain identification	2
		Crew identification	0
Fishing activity	Fishing equipment	Nets	2
		Longline	2
		Wire trace	2
		Hand line	
		Harpoon	
		Pots / traps / cages	
		Marker buoys	1
		Fishing equipment in water	X1 net
		Other	
	Evidence of fishing	Blood on deck	
		Catch in water	4
		Catch released alive	
		Hauling	4
		Position Gear (start)	See ECDIS
		Position Gear (end)	
	Holds and catch storage	Hold lid on	
		Hold lid off	
		Catch in hold	3
		Bridge deckhead	
		Catch on deck	
Security seals			
Other (list)			

BIOT INSPECTION REPORT – DT003

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



[Fig. 1] Ephraem Starboard Side



[Fig. 2] Ephraem Starboard Side



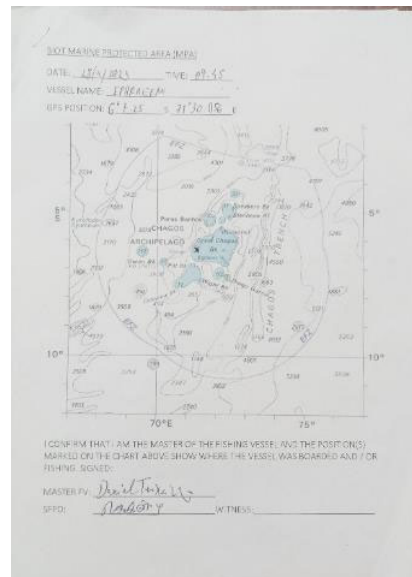
[Fig. 3] Ephraem Stern



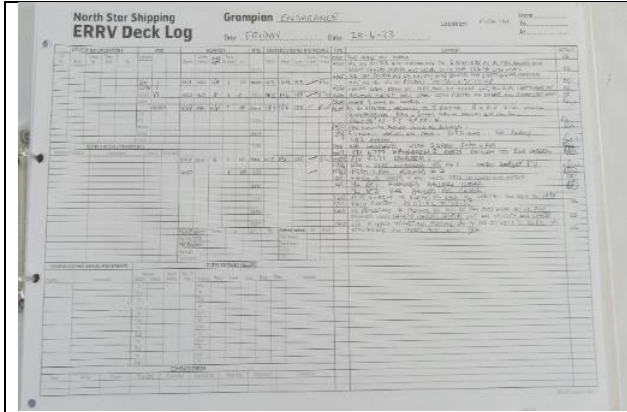
[Fig. 4] Ephraem Portside



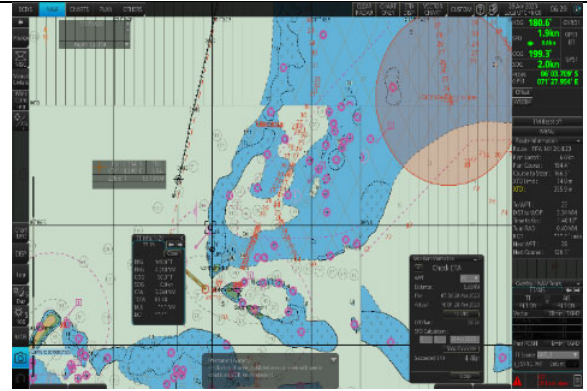
[Fig. 5] Ephraem Portside



[Fig. 6] Ephraem Boarding Position Confirmation



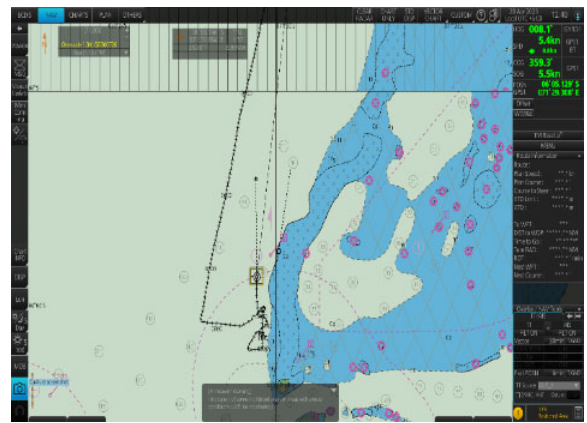
[Fig. 7] BPV logbook



[Fig. 8] ECDIS sighting – W GCB, Three Brothers.



[Fig. 9] ECDIS. During boarding.



[Fig. 10] ECDIS. After both boardings and during escorting.



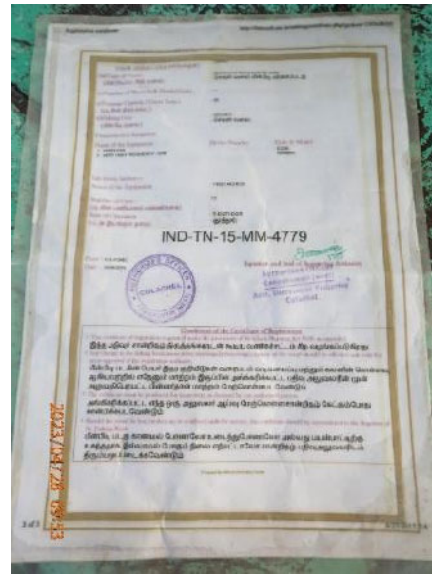
[Fig. 11] Ephraem Nav system position confirmation



[Fig. 12] Track records



[Fig. 13] Certificate of Registry 1 of 2.



[Fig 14] Certificate of Registry 2 of 2.



[Fig 15] Fishing gear. X2 gillnets, x4 longlines.



[Fig 16] Fishing gear. X6 longlines.



[Fig 17] Fishing gear.



[Fig 18] Fishing gear.



[Fig 19] Fishing gear.



[Fig 20] Fishing gear.



[Fig 21] Fishing gear.



[Fig 22] Fishing gear.



[Fig 23] Portside hold



[Fig 24] Portside hold



[Fig 25] Portside hold



[Fig 26] Portside hold - sample



[Fig 27] Portside hold - sample



[Fig 28] Portside hold - sample



[Fig. 29] Hauling gillnet



[Fig. 30] Hauling gillnet



[Fig. 31] Hauling gillnet



[Fig. 32] Hauling gillnet



[Fig. 33] Hauling gillnet



[Fig. 34] Hauling gillnet



[Fig. 35] Gillnet sizing



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC ;
Mr Susantha Kahawatta, and Ms Kalyani Hewapathirana, DFAR, Sri Lanka

Dear Dr De Bruyn,

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 IMULA0619CHW (Shehan 1).

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting: Presumed IUU fishing activity in BIOT waters; Presumed fishing contrary to Sri Lankan fisheries law and to IOTC Conservation Management Measures for the Sri Lankan flagged vessel IMULA0619CHW (Shehan 1) has already been submitted. Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities on 3 August 2023.

The attached evidence shows that:

- On the 10 May 2023, the Senior Fisheries Protection Officer boarded and inspected the vessel IMULA0619CHW (Shehan 1). It was presumed fishing together with vessel IMULA0603CHW (Shanika Duwa).
- The vessel was not on the IOTC Record of Authorised Vessels at the time of inspection its authorisation (#12894) having expired on 1 May 2023.
- The vessel had around 5 tonnes of fish on board including 3 tonnes of IOTC managed species (Skipjack, Yellowfin and Bigeye tunas) and 2 tonnes of sharks.
- The vessel had VMS on board.
- On 6 February 2024 Sri Lanka provided details of its investigation into the activities of this vessel and action against the Owner and Master of the vessel. The fishing operation licence was suspended and the vessel detained in port for 3 months, now lifted.

We submit this vessel to IOTC Compliance Committee with recommendation **a) 'Notification to IOTC Secretariat only. No further action is recommended'**.

We accept the findings of the investigation undertaken by Sri Lanka but note that no evidence was provided to support the statement in paragraph 'd' of the actions taken by Sri Lanka (communication of 6/2/24) that 'No evidence to prove that the vessel has engaged in fishing operations in High sea/ BIOT waters' e.g. VMS evidence, logbook evidence. Critically, did any fishing occur between 1 May 2023 when the vessel's IOTC authorisation expired and 10 May 2023 when the vessel was inspected in BIOT.

We request that Sri Lanka provides this supporting evidence by the 15 day deadline prior to Compliance Committee so that it may be reviewed by the Committee.

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 blue ink, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting form for Illegal Activity, IMULA0619CHW (Shehan 1)

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 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)	SHEHAN 1 IMULA0619CHW
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 IOTC#: IOTC012894
e	Photo	Yes
f	Call Sign (previous call sign, if any)	4SF2313
g	Owner (previous Owner/s, if any)	Owner listed as A.A.A. Shironi Perera in IR. Owner listed as PERS,FERNANDO on IOTC active vessels list
h	Operator (previous Operator/s, if any) and Master/Fishing Master	UNK and Divalaga E. L. Fernando
i	Date of alleged IUU fishing activities	10/05/2023
j	Position of alleged IUU fishing activities	5°30`418 S 72°17`253 E
k	Summary of alleged IUU activities (see section B for more detail)	(h).Fishing in coastal state waters without authorization (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	

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, nor recorded in the Active list of vessels; or	
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	



Item	Definition	Indicate
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	X



C. Associated Documents

Inspection Report. Titled: MB002_SAMPATH_20230614_InspectionReport

Photographic Evidence. Titled: MB002_SAMPATH_20230614_PhotographicEvidence

Results of Sri Lankan investigation

D. Recommended Actions

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

BIOT INSPECTION REPORT – DT004

1. SUMMARY

Date of boarding	10/05/2023		
Patrol type and number	OISP 4/23		
Vessel name	Shehan 1		
Vessel type	Longline		
Vessel flag and port of reg.	Sri Lanka, Negombo		
Vessel Registration No.	IMULA0619CHW		
IOTC# (if registered)	12894		
Vessel Captain's name	Divalaga E. L. Fernando		
SFPO	Daniel Teixeira		
BPV crew assisting	Keith Andrews (Captain), Davy Lang (1 st Officer), David Stockton (2 nd Officer), Jerzy Szostek (Bosun)		
<p><u>Action Taken:</u> At 07:55 two Sri Lankan vessels were visually spotted to the NW possibly heading to Victory Bank as BPV was heading to Salomon's, passing by Nelson's Island, approximately 7 NM away, pos 5°40'28 S 72°19'54 E.</p> <p>As per agreed with RMs team, engaging swiftly followed with a fast pursuit and 2 PACs were deployed at 08:20. While Sgt Scott Billington boarded St. Juste, SFPO boarded Shehan 1 at 08:50, pos 5°30'418 S 72°17'253 E.</p> <p>After initial boarding performed by RMs and safety assessment SFPO boarded and engaged with Captain. No signs of potential violence were displayed by the FV crew and all complied with instructions and requests. After vessel documents, nav system, radio and IDs check, the interview with captain ensued with catch in the holds and fishing gear. During hold inspection it was clear that catch quantity had been largely understated, with an actual estimate of around 5/6 tonnes, comprising of tuna species and sharks. Using translation cards proved useful although some of the questions remained unanswered as captain showed no signs of English language knowledge. Fisherman brought in for questioning was helpful to a certain extent. Most likely both FVs were working together. Logbook was not presented.</p> <p>At the end of inspection Shehan 1 captain was issued Boarding Receipt 004-DT with a Verbal Warning to leave MPA immediately.</p>			

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

Date and time of first sighting	10/05/2023 08:08		(DD/MM/YY HH:MM)	
Sighted by: (insert name)	SFPO Daniel Teixeira	Radar	Visual	X
Position of target	5°33'40 S 72°16'16 E			
Course	278°			
Speed	7			
Range	7			

BIOT INSPECTION REPORT – DT004

Bearing	341°	
<u>Comments:</u>		
Fisheries Pennant and Sierra Quebec 3 Raised	10/05/2023 09:00	(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	10/05/2023 08:50	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	10/05/2023 08:50	(DD/MM/YY HH:MM)
Response to request for boarding	<i>No response</i>	

3. LAUNCHING OF RHIB

Time RHIB launched	10/05/2023 08:20 (DD/MM/YY HH:MM)	
RHIB Crew (<i>names</i>)	Daniel Teixeira (SFPO) and RMs team: Adam Berry (Lt. Commander), James McCrady (LH), James Prior (Corporal), Stuart Parker (Corporal) and Joshua Ferguson (RM)	
<u>Comments on the approach to the FV:</u> PAC performed one turn around FV for FV identification and photographic evidence recording. Approach was performed FV starboard side. FV did not present any problems to approach, waited and followed instructions from boarding crew.		
Photographic Evidence Collected (See Annex 1).	Port	2
	Starboard	2
	Stern	1
	Fishing gear	0
	Other	2 (Bow)

4. BOARDING DETAILS

Date and time vessel boarded	10/05/2023 08:50		
Position vessel boarded	5°30`418 S 72°17`253 E		
BPV crew assisting	N/A		
Language spoken	English and Sri Lankan		
Language Cards used Y/N	Y	Numbers used	0, 4, 6, 7, 10, 11, 12, 13, 15, 16, 17, 18

5. CREW DETAILS

Captain's name	Divalaga E. L. Fernando
Captain's nationality	Sri Lankan
Captain's address	217/10, Siriwardhana Place, Munnakkaraya, Negombo

BIOT INSPECTION REPORT – DT004

Captain's D.o.B.	18/12/1985	
Number of crew (inc. Captain)	5	
Nationality of Crew	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	
<u>Health issue details:</u>		
Photographic Evidence Collected (See Annex 1).	Captain ID	2
	Other crew ID	2
	Other	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Shehan 1		
International Callsign	4SF2313		
Flag State	Sri Lanka		
Authorisation to Fish/Fishing Licence No.	23EEZIMUL21951NBO (EEZ National Fishing Licence)		
Valid from / to (dd/mm/yyyy)	30/01/2023 to 08/02/2024		
Port of Registration	Pitipana Fisheries Harbour		
Registration Number	IMULA0619CHW		
FV owner name and details (as per licence)	A. A. A. Shironi Perera		
Fishing logbook No.	Not presented		
Issuing Authority	N/A		
Date of last entry (dd/mm/yyyy)	N/A		
Position of last entry	N/A		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Y, Port of departure: Negombo, Date of departure: 22/04/2023		
Insurance documentation (Y/N)	N		
Names and addresses of owners	A.A.A. Shironi Perera 33/5 Greens Road, Negombo		
Overall length (ft/m)	12.52	Engine Power (KW/hp)	
Other paperwork:	<i>Departure Form, Declaration of Survey, Transmitting equipment maritime licence</i>		
Photographic Evidence Collected (See Annex 1).	Licence		1
	Logbook		0

BIOT INSPECTION REPORT – DT004

	Boat Departure/Exit	2
	Other	3

7. INTERVIEW WITH CAPTAIN

Time of interview	10/05/2023 09:10	(HH:MM)
Travelling to or from fishing grounds?	Fishing	
Port and date of departure	Negombo 22/04/2023	
Total amount of fish onboard (t)	800 kg	
If fish onboard where caught?	Not answered	
If fish onboard when caught?	Not answered	
If fish onboard how caught?	Not answered	
Destination	Negombo	
Next port of call	Negombo	
ETA	17/05/2023	(DD/MM/YY)
<u>Comments:</u> Very difficult communication.		

8. VESSEL INSPECTION

Fishing gear type	X15 monofilament longline drums, x3 buoys drums, 1 net, aprox. 600 snoods and hooks		
<u>Comments:</u> not actively fishing			
Catch onboard (estimated/reported t)	5t estimate, 1 hold		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	N
Description of catch	Tiger shark (<i>Galeocerdo cuvier</i>) Requiem sharks (family <i>Carcharhinidae</i>) Skipjack tuna (<i>Katsuwonus pelamis</i>) Yellowfin tuna and bigeye tuna. Total weight 5 t roughly estimated as fish was on ice, three compartments with tuna totalling 3 tonnes and two of the cubicles with sharks totalling 2 tonnes.		
<u>Comments:</u>			
Photographic Evidence Collected (See Annex 1).	Gear	7	
	Catch	7	
	Hold		
	Other		

BIOT INSPECTION REPORT – DT004

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	N	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	N	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Y	X
Section 7 (1). Is the vessel fishing without a license?	N	
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	Y	
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	N	
Other:		
<u>Comments:</u>		

BIOT INSPECTION REPORT – DT004

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	N	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	N/A	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	N/A	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	N/A	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	Y	
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Y	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Y	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	Y	
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Y	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Y	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	N	X
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Y	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	N	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	N	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	N	X
15/03 1: Does the vessel have VMS on board?	Y	

BIOT INSPECTION REPORT – DT004

IOTC Resolution	Yes/No	Non-Compliant (X)
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	Y	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	Y	
15/03 9. Is the VMS not working due to technical failure?	N	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	unk	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	N	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	N	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	N	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	Y	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	N/A	
17/05 5. Have shark fins been removed from the carcass?	N	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	N	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	N	X
<p><u>Comments</u></p> <p>Boat Departure Form no. 1544522 issued by the Department of Fisheries, Colombo, Sri Lanka, dated 21/04/2023 states that IMULA0619CHW fulfilled requirements concerning logbook, gear marking, no prohibited gear on boat and boat insurance. None of these documents were presented to the SFPO.</p> <p>IOTC authorization period from 05/02/2023 to 05/01/2023.</p>		

BIOT INSPECTION REPORT – DT004

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	x
Master given verbal warning and released	x
No further action, vessel released	
<u>Comments:</u> FV ordered to leave BIOT.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	09:50	(HH:MM)
Time RHIB recovered to the BPV	10:20	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	Y	IOTC number	12894
Date authorised from	05/02/2021	Date authorised to	05/01/2022
Vessel currently authorised to fish in IOTC area of competence (Y/N)			N
Version of IOTC database referenced:			IOTC website
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	
<u>Comments:</u>			

Daniel Barros Teixeira
BIOT Senior Fisheries Protection Officer

11/05/2023

BIOT INSPECTION REPORT – DT004

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number photos	of
Prior to Boarding		Portside	2	
		Starboard side	2	
		Vessel name and identification	1	
		Bow	2	
		Stern	1	
		Evidence of fishing	0	
		FV with BPV	0	(see crew pictures)
		Other		
Wheel house		Radar		
		GPS		
		SFPO GPS		
		Radio equipment	1	
		VMS	2	
		Plotter	3	
Documents		License	1	
		Logbook	0	
		Boat departure form	2	
		Insurance	0	
		Other documents	3	
Crew identification		Captain photos	1	
		Crew member photo	4	
		Captain identification	2	
		Crew identification	2	
Fishing activity	Fishing equipment	Nets	1	
		Longline	1	
		Wire trace	2	
		Hand line		
		Harpoon		
		Pots / traps / cages		
		Marker buoys	1	
		Fishing equipment in water		
		Other		
	Evidence of fishing	Blood on deck		
		Catch in water		
		Catch released alive		
		Hauling		
		Position Gear (start)		
		Position Gear (end)		
	Holds and catch storage	Hold lid on		
		Hold lid off	1	
		Catch in hold	6	
		Bridge deckhead		
		Catch on deck		
Security seals				
Other (list)				

BIOT INSPECTION REPORT – DT004

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



[Fig. 1] Shehan 1 Starboard Side



[Fig. 2] Shehan 1 Starboard Side



[Fig. 3] Shehan 1 Stern



[Fig. 4] Shehan 1 Portside



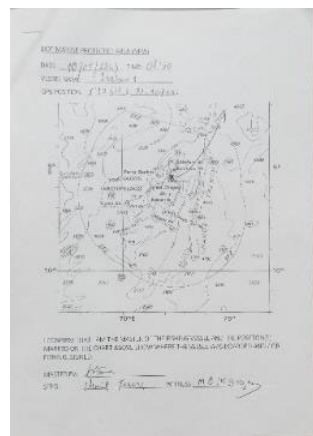
[Fig. 5] Shehan 1 Portside



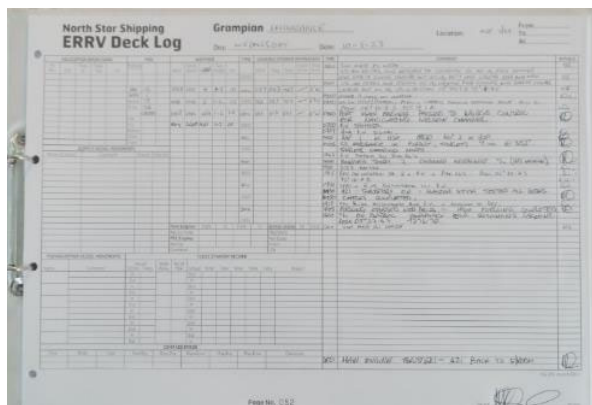
[Fig. 6] Shehan 1 Bow



[Fig. 7] Shehan 1 Bow



[Fig. 8] Shehan 1 Boarding Position Confirmation



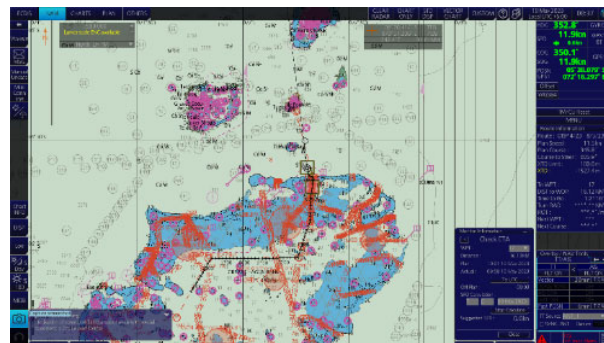
[Fig. 9] BPV logbook 10/05/2023



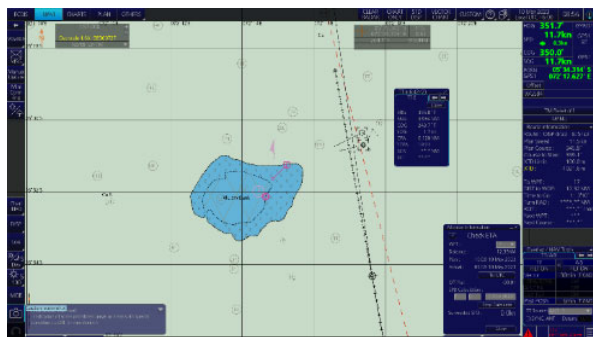
[Fig. 10] ECDIS sighting – BPV W of Nelson's, FV SE of Victory Bank.



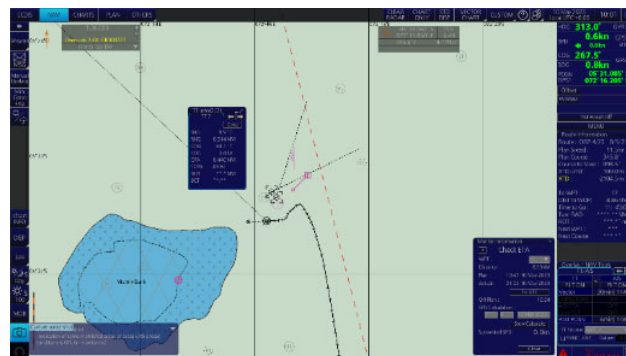
[Fig.11] ECDIS. Second sighting.



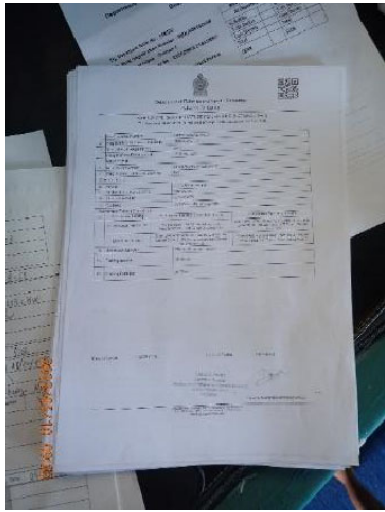
[Fig. 12] ECDIS. While in pursuit with the PACs.



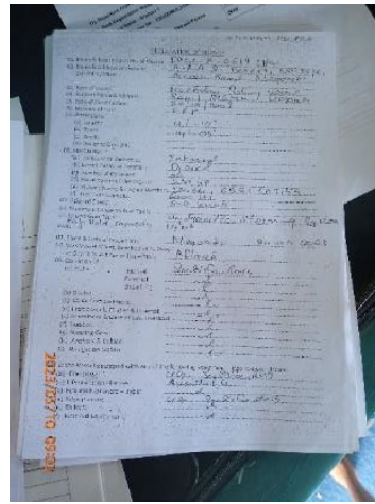
[Fig. 13] ECDIS. BPV position relative to preboarding PACs position.



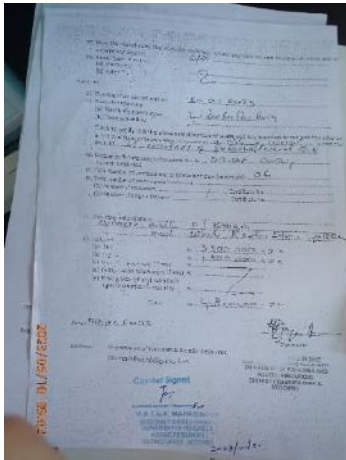
[Fig. 14] ECDIS. BPV position relative to FVs after inspection.



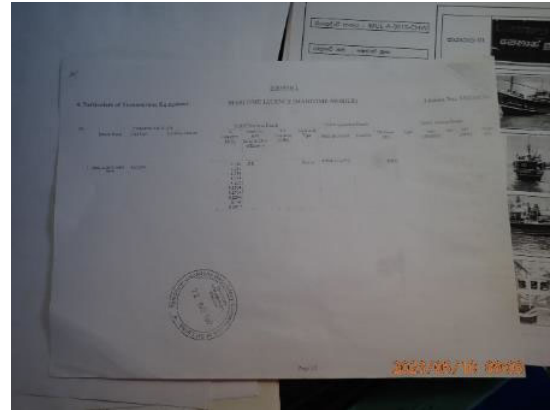
[Fig 20] Shehan 1 EEZ Fishing Licence.



[Fig 21] Shehan 1 Declaration of Survey.



[Fig 22] Shehan 1 Declaration of Survey, page 2.



[Fig 23] Shehan 1 Radio licence.



[Fig 24] Radio equipment.



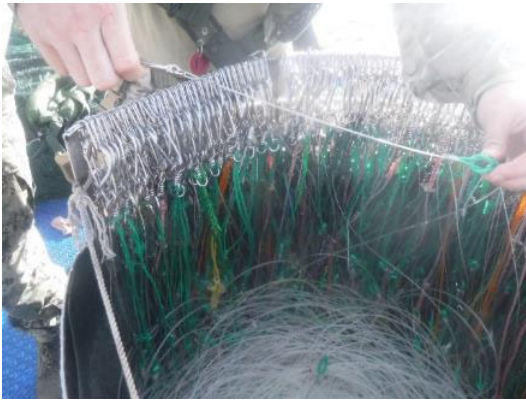
[Fig 25] Fishing gear.



[Fig 26] Fishing gear.



[Fig 27] Fishing gear.



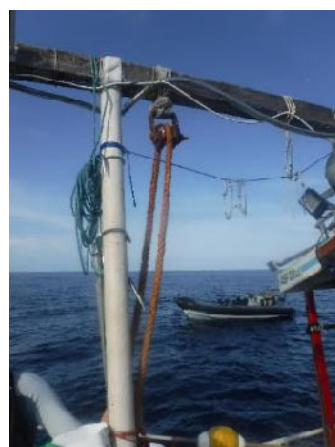
[Fig 28] Fishing gear.



[Fig 29] Fishing gear.



[Fig 30] Fishing gear.



[Fig 31] Fishing gear.



[Fig 32] Catch.



[Fig 33] Catch.



[Fig 34] Catch.



[Fig 35] Catch.



[Fig 36] Catch.



[Fig 37] Catch.



[Fig 38] Catch.



[Fig 39] BlueTraker VMS Communications ConBox 2018 LCD.



[Fig 40] BlueTraker VMS ConBox 2018 LCD cut off from electrical power.



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

24 February 2024

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC ;

Mr Susantha Kahawatta, and Ms Kalyani Hewapathirana, DFAR, Sri Lanka

Dear Dr De Bruyn,

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 IMULA0603CHW (Shanika Duwa).

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting has already been submitted. Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities on 3 August 2023.

The attached evidence shows that:

- On the 10 May 2023, the vessel IMULA0603CHW (Shanika Duwa) was boarded and inspected. It was presumed to have been operating with vessel IMULA0619CHW (Shehan 1) due to them being together when first sighted.
- The vessel was on the IOTC Record of Authorised Vessels at the time of inspection (#12212).
- The vessel had around 1.5 tonnes of fish on board including IOTC managed species (Bigeye tunas) and sharks.
- The vessel had fully operational VMS on board.
- Sri Lanka provided details of their investigation into the activities of this vessel but did not consider the evidence was strong enough to go ahead with a prosecution. Subsequently no action has been taken against the Owner or Master of the vessel.

We submit this vessel to IOTC Compliance Committee with recommendation **a) ‘Notification to IOTC Secretariat only. No further action is recommended.’**

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

Thank you.

Yours sincerely

Mr J. Moir Clark
UK Delegation to IOTC

Supporting evidence: IOTC Reporting form for Illegal Activity, IMULA0603CHW (Shanika Duwa)

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 UK(OT) in British Indian Ocean Territory.

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)	SHANIKA DUWA IMULA0603CHW
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 IOTC#: 12212
e	Photo	Yes
f	Call Sign (previous call sign, if any)	4SF3562
g	Owner (previous Owner/s, if any)	Warnakulasooriya Noyel Ranjan Fernando
h	Operator (previous Operator/s, if any) and Master/Fishing Master	W.N.R. Fernando
i	Date of alleged IUU fishing activities	10/05/2023
j	Position of alleged IUU fishing activities	5°30`430 S 72°17`333 E
k	Summary of alleged IUU activities (see section B for more detail)	(h).Fishing in coastal state waters without authorization (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	

A. 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, nor recorded in the Active list of vessels; or	
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	



Item	Definition	Indicate
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	X



B. Associated Documents

Inspection Report: Titled: InspectionReport_005_DT_SHANIKA_DUWA_10052023

Photographic Evidence. Titled:

BIOT_2023_02_DT_Photographic_Evidence_SHANIKA_DUWA_10052023

C. 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

BIOT INSPECTION REPORT – DT005

1. SUMMARY

Date of boarding	10/05/2023
Patrol type and number	OISP 4/23
Vessel name	Shanika Duwa
Vessel type	Longline
Vessel flag and port of reg.	Sri Lanka, Negombo
Vessel Registration No.	IMULA0603CHW
IOTC# (if registered)	12212
Vessel Captain's name	W.N.R. Fernando
SFPO	(SFPO boarded Shehan 1 while) RMs team boarded Shanika Duwa
BPV crew assisting	Keith Andrews (Captain), Davy Lang (1st Officer), David Stockton (2nd Officer), Jerzy Szostek (Bosun)
<p><u>Action Taken:</u> At 07:55 two Sri Lankan vessels were visually spotted to the NW possibly heading to Victory Bank as BPV was heading to Salomon's, passing by Nelson's Island, approximately 7 NM away, pos 5°40'28 S 72°19'54 E.</p> <p>As per agreed with RMs team, engaging swiftly followed with a fast pursuit and 2 PACs were deployed at 08:20. While Sgt Scott Billington boarded Shanika Duwa, pos 5°30'430 S 72°17'333 E, SFPO boarded Shehan 1 (InspectionReport_004_DT_SHEHAN_1_10052023).</p> <p>Account provided by RMs stated that boarding inspection followed a systematic and thorough approach, but some information was not possible to obtain. FV crew showed no aggression and all complied with instructions and requests. FV crew was told to gather, sit and wait at the stern of the vessel. During hold inspection it was estimated that catch was composed of a dozen sharks of several species and tuna, mainly bigeye tuna, totalling 1.5 tonnes. Most likely both FVs were working together. Logbook was not presented.</p> <p>At the end of inspection Shanika Duwa's captain was told to leave MPA immediately.</p>	

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

Date and time of first sighting	10/05/2023 07:50	(DD/MM/YY HH:MM)	
Sighted by: <i>(insert name)</i>	OOW David Lang	Radar	X
Position of target	5°33'90 S 72°18'30 E		
Course	294°		
Speed	7.2		
Range	7.3		
Bearing	347°		
<u>Comments:</u>			
Fisheries Pennant and Sierra Quebec 3 Raised	10/05/2023 09:00	(DD/MM/YY HH:MM)	

BIOT INSPECTION REPORT – DT005

Vessel called on VHF CH16 and MF 2182.0	10/05/2023 08:50	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	10/05/2023 08:50	(DD/MM/YY HH:MM)
Response to request for boarding	<i>No response</i>	

3. LAUNCHING OF RHIB

Time RHIB launched	10/05/2023 08:20	(DD/MM/YY HH:MM)
RHIB Crew (<i>names</i>)	Sgt Scott Billington, RM Baxter, RM Scott, Corporal Prior, Corporal Boyd.	
<u>Comments on the approach to the FV:</u> PACs split at this point and each joined one of the two FVs found in BIOT. FV crew did not present any problems to approach, waited and followed instructions from boarding crew.		
Photographic Evidence Collected (See Annex 1).	Port	2
	Starboard	2
	Stern	1
	Fishing gear	1
	Other	2 (bow)

4. BOARDING DETAILS

Date and time vessel boarded	10/05/2023 08:50		
Position vessel boarded	5°30`430 S 72°17`333 E		
BPV crew assisting	N/A		
Language spoken	English and Sri Lankan		
Language Cards used Y/N	N	Numbers used	N/A

5. CREW DETAILS

Captain's name	W.N.R. Fernando		
Captain's nationality	Sri Lankan		
Captain's address	No.511/1, Barudapola, Thoduwada		
Captain's D.o.B	05/12/1971		
Number of crew (inc. Captain)	6		
Nationality of Crew	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
<u>Health issue details:</u>			

BIOT INSPECTION REPORT – DT005

Photographic Evidence Collected (See Annex 1).	Captain ID	1
	Other crew ID	1
	Other	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Shanika Duwa		
International Callsign	4SF3562		
Flag State	Sri Lanka		
Authorisation to Fish/Fishing Licence No.	22HSIMUL3258CHW (high seas licence) 22EEZIMUL20119CHW (national sea)		
Valid from / to (dd/mm/yyyy)	28/02/2022 to 20/01/2024 (high seas lic.)		
Port of Registration	Main port: Dikovita Fisheries Harbour Optional port: Negombo Harbour		
Registration Number	IMULA0603CHW		
FV owner name and details (as per licence)	Warnakulasooriya Noyel Ranjan Fernando		
Fishing logbook No.	Not presented		
Issuing Authority	N/A		
Date of last entry (dd/mm/yyyy)	N/A		
Position of last entry	N/A		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Y, Port of departure: Negombo, Date of departure: 22/04/2023		
Insurance documentation (Y/N)	N		
Names and addresses of owners	Warnakulasooriya Noyel Ranjan Fernando 511, Baruldalpola, Thoduwawa		
Overall length (ft/m)	12.6016	Engine Power (KW/hp)	
Other paperwork:	<i>Individual insurance, AIS certificate, Maritime mobile licence</i>		
Photographic Evidence Collected (See Annex 1).	Licence		3
	Logbook		0
	Boat Departure/Exit		3
	Other		3

7. INTERVIEW WITH CAPTAIN

Time of interview	10/05/2023 between 09:00 and 10:00	(HH:MM)
Travelling to or from fishing grounds?	Fishing	

BIOT INSPECTION REPORT – DT005

Port and date of departure	Negombo 22/04/2023	
Total amount of fish onboard (t)	Unk	
If fish onboard where caught?	Unk	
If fish onboard when caught?	Unk	
If fish onboard how caught?	Unk	
Destination	Unk	
Next port of call	Unk	
ETA	Unk	(DD/MM/YY)
<u>Comments:</u> Very difficult communication.		

8. VESSEL INSPECTION

Fishing gear type	X5 sets of buoys, 2 drums containing approx. 600 snoods, hooks and line.		
<u>Comments:</u> not actively fishing			
Catch onboard (estimated/reported t)	1.5t estimate, 1 hold		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	N
Description of catch	<p>Requiem sharks (family <i>Carcharhinidae</i>), total catch 1 tonne as described by the RMs.</p> <p>Bigeye tuna (<i>Thunnus obesus</i>), total catch of “a few”, not over 10 individuals, each not over 50 cm long, weighing estimate 250 kg.</p>		
<u>Comments:</u>			
Photographic Evidence Collected (See Annex 1).	Gear	6	
	Catch	3	
	Hold	1	
	Other		

BIOT INSPECTION REPORT – DT005

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	N	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	N	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Y	X
Section 7 (1). Is the vessel fishing without a license?	N	
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	Y	
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	N	
Other:		
<u>Comments:</u>		

BIOT INSPECTION REPORT – DT005

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	Y	
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	Y	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	N	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	N	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	Y	
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Y	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Y	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	Y	
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Y	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Y	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	N	X
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Y	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	N	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	unk	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	N	X
15/03 1: Does the vessel have VMS on board?	Y	

BIOT INSPECTION REPORT – DT005

IOTC Resolution	Yes/No	Non-Compliant (X)
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	Y	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	Y	
15/03 9. Is the VMS not working due to technical failure?	N	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	Unk	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	N	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	N/A	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	N/A	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	Y	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	N/A	
17/05 5. Have shark fins been removed from the carcass?	N	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	Unk	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	N	X
<p><u>Comments</u></p> <p>Boat Departure Form no. 154460 issued by the Department of Fisheries, Colombo, Sri Lanka, dated 21/04/2023 states that IMULA0603CHW fulfilled requirements concerning logbook, gear marking, no prohibited gear on boat and boat insurance. None of these documents were presented to the boarding party.</p>		

BIOT INSPECTION REPORT – DT005

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	x
Master given verbal warning and released	x
No further action, vessel released	
<u>Comments:</u> FV ordered to leave BIOT.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	09:50	(HH:MM)
Time RHIB recovered to the BPV	10:20	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	Y	IOTC number	12212
Date authorised from	28/12/2022	Date authorised to	20/01/2024
Vessel currently authorised to fish in IOTC area of competence (Y/N)			Y
Version of IOTC database referenced:			IOTC website
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	
<u>Comments:</u>			

Daniel Barros Teixeira
BIOT Senior Fisheries Protection Officer

11/05/2023

BIOT INSPECTION REPORT – DT005

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number photos of
Prior to Boarding		Portside	2
		Starboard side	2
		Vessel name and identification	1
		Bow	0 (anchor position)
		Stern	1
		Evidence of fishing	6
		FV with BPV	1
		Other	
Wheel house		Radar	
		GPS	1
		SFPO GPS	
		Radio equipment	
		VMS	
		Plotter	
Documents		License	1
		Logbook	0
		Boat departure form	0
		Insurance	0
		Other documents	2 Registry
Crew identification		Captain photos	1
		Crew member photo	1
		Captain identification	2
		Crew identification	0
Fishing activity	Fishing equipment	Nets	2
		Longline	2
		Wire trace	2
		Hand line	
		Harpoon	
		Pots / traps / cages	
		Marker buoys	1
		Fishing equipment in water	X1 net
		Other	
	Evidence of fishing	Blood on deck	
		Catch in water	4
		Catch released alive	
		Hauling	4
		Position Gear (start)	See ECDIS
		Position Gear (end)	
	Holds and catch storage	Hold lid on	
		Hold lid off	
		Catch in hold	3
Bridge deckhead			
Catch on deck			
Security seals			
Other (list)			

BIOT INSPECTION REPORT – DT005

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



[Fig. 1] Shanika Duwa Starboard Side



[Fig. 2] Shanika Duwa Starboard Side



[Fig. 3] Shanika Duwa Stern



[Fig. 4] Shanika Duwa Portside



[Fig. 5] Shanika Duwa Portside



[Fig. 6] Shanika Duwa Bow



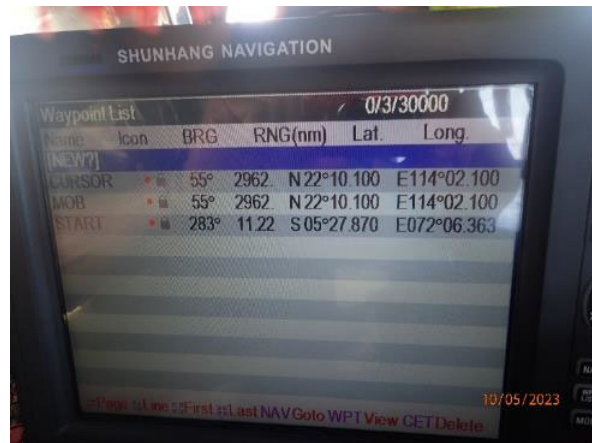
[Fig. 7] Shanika Duwa Bow, Shehan 1 in the back



[Fig. 8] Shanika Duwa , crew and fishing gear



[Fig. 9] Shanika Duwa Nav system position confirmation



[Fig. 10] Shanika Duwa recent waypoints.



[Fig. 11] Shanika Duwa Departure Form check list, boat owner declaration and fishery harbour office certification.

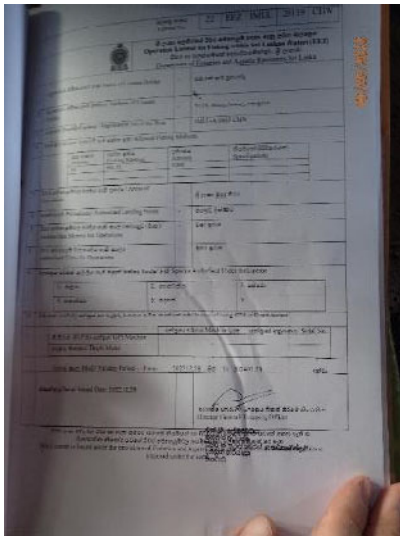
[Fig. 12] Shanika Duwa Departure Form, page 2..

Item	Quantity
1. Fuel	1000
2. Oil	1000
3. Water	1000
4. Food	1000
5. Other	1000

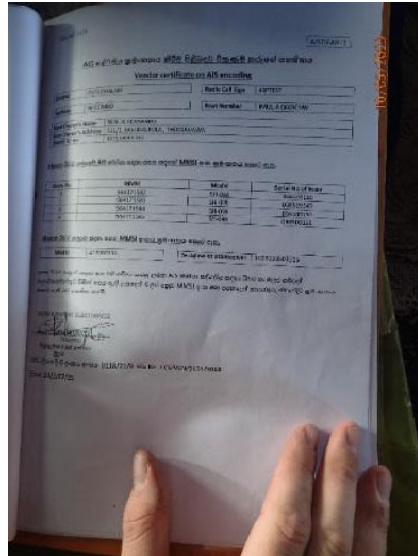
[Fig. 13] Shanika Duwa Departure Form.

[Fig. 14] Shanika Duwa High Seas Fishing Licence.

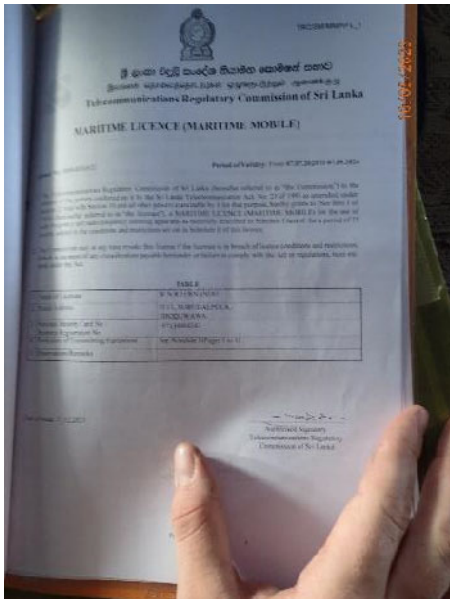
[Fig. 15] Shanika Duwa EEZ National Sea Fishing Licence.



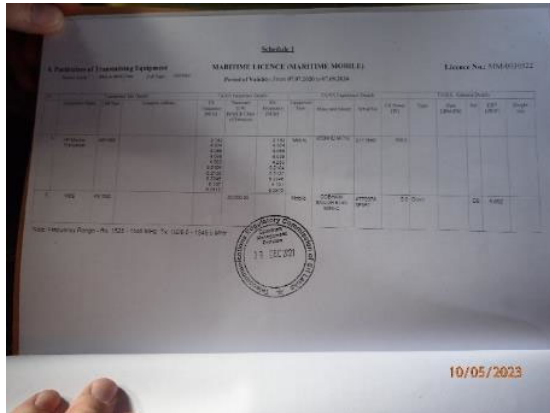
[Fig. 16] Shanika Duwa EEZ National Sea Fishing Licence, page 2.



[Fig. 17] Shanika Duwa AIS certificate



[Fig. 18] Shanika Duwa Radio Licence.



[Fig. 19] Shanika Duwa Radio Licence, page 2.



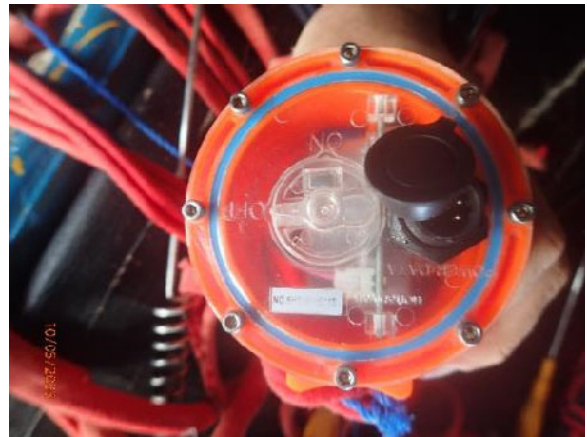
[Fig. 20] Skynav AT-102 AIS GPS tracker, ref number SHO98509149.



[Fig. 21] Skynav AT-102 AIS GPS tracker, ref number SHO98509150.



[Fig. 22] Skynav AT-102 AIS GPS tracker, ref number SHO98509151.



[Fig. 23] Skynav AT-102 AIS GPS tracker, ref number SHO98509148.



[Fig. 24] Fishing gear.



[Fig. 25] Fishing gear.



[Fig. 26] Bow Hold.



[Fig. 27] Catch.



[Fig. 28] Catch.



[Fig. 29] Catch.



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Mr Susantha Kahawatta, and Ms Kalyani Hewapathirana, DFAR, Sri Lanka

Dear Dr DeBruyn,

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-0869-CHW (Holly Trinity).

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting Form for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters; fishing contrary to IOTC Conservation Management Measures for the Sri Lankan flagged vessel IMUL-A-0869-CHW (Holly Trinity) has already been submitted. Under the bilateral arrangement established between UK and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities with a request that they investigate the activities of the vessel and take action against the owner/master under the provisions of national fisheries legislation (FARA 1996/2013). It was submitted to Compliance Committee in 2023 with recommendation 'b' noting an investigation was pending. The same evidence is submitted but our recommendation has changed.

The attached evidence shows that:

- The vessel was on the IOTC Record of Authorised Vessels, IOTC Number: 17164 at the time of inspection.
- On the 8th November, 2022 the Senior Fisheries Protection Officer boarded and inspected the vessel Holly Trinity (IMUL-A-0869-CHW). The vessel had all fishing gear stowed but appeared to have fresh fish on board and apparent fishing tracks on the plotter. It was presumed IUU in BIOT waters and was reported to Sri Lanka on 17 November 2022.
- The vessel did have a VMS on board which was not functional due to a faulty alternator.
- The vessel had a National logbook on board but there had been no entry since 20/07/2022.
- On 25 January 2023 Sri Lanka provided details of the actions it had taken (Appendix IV of the IOTC IUU Reporting Form). Sri Lanka reported that logbook pages were duly filled, indicating that they had been completed retrospectively. Pending further details from the investigation UK presented this vessel to IOTC in 2023 with recommendation 'b'.
- On 31/01/2024 Sri Lanka provided updated details - however, other than indicating the case was closed and a copy of the logbook showing the last entry as 20/07/2023 the details were identical to those on 25 January 2023. No analysis of the information stored on the ship's plotter was provided.
- Further correspondence with Sri Lanka confirmed that there was insufficient evidence for a prosecution.

We submit this vessel to IOTC Compliance Committee with recommendation **a) ‘Notification to IOTC Secretariat only, no further action’**. We have recommended ‘a’ as there was no direct evidence of fishing (i.e. gear was not seen in the water), however:

- To date Sri Lanka have only commented on the logbook and have not provided new details from their investigation since January 2023.
- The SFPO recoded fresh fish on board.
- The vessel was on the IOTC RAV but was fishing without a functioning VMS on board, in contravention of IOTC Conservation Management Measures.

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

Thank you.

Yours sincerely



Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting form for Illegal Activity, IMUL-A-0869-CHW (HOLLY TRINITY).

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 UK 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)	Holly Trinity IMULA0869CHW
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 II
f	Call Sign (previous call sign, if any)	4SF5559
g	Owner (previous Owner/s, if any)	W.M.A.S FERNANDO
h	Operator (previous Operator/s, if any) and Master/Fishing Master	W.A.R.K Fernando
i	Date of alleged IUU fishing activities	08/11/2022
j	Position of alleged IUU fishing activities	05° 04.90 S' 072° 31.50 E'
k	Summary of alleged IUU activities (see section B for more detail)	(h).Fishing in coastal state waters without authorization. (k).Contravention of IOTC CMMs (e.g. VMS)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	See Appendix III.

m	Outcome of actions taken	See Appendix IV. (S/N 05)
---	--------------------------	------------------------------

B. Details of IOTC Resolution Elements Contravened

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	
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	
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	X



C. Associated Documents

Appendix I – Inspection Report

Appendix II – Photographs.

Appendix III – Notification of Investigation and Request for Cooperation Letter sent 17th November, 2022 Titled: 20221117_BIOT_D FAR_IMUL-A-0869-CHW

Appendix IV–Status of legal actions taken against the Sri Lanka Vessels reported in BIOT waters (Table 2, S/N 05)

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.	X
c	Recommended for inclusion on IOTC IUU list	

1. SUMMARY

Date of boarding	08/11/2022		
Patrol type and number	FIPA 129		
Vessel name	HOLLY TRINITY		
Vessel type	Longline		
Vessel flag and port of reg.	Sri Lanka, Negombo		
Vessel Registration No.	IMULA0869CHW		
IOTC# (if registered)	17164		
Vessel Captain's name	W.A.R.K. FERNANDO		
SFPO	Alastair King		
BPV crew assisting	William Farquhar		
<u>Action Taken:</u>			
Verbal Warning and Instructed to leave BIOT waters immediately. BC 16, BC 17, BC 18.			

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

Date and time of first sighting	08/11/2022			(DD/MM/YY HH:MM)	
Sighted by: <i>(insert name)</i>	Lukasz Kisielewski	Radar	Yes	Visual	
Position of target	05° 04.90 S & 072° 31.50 E				
Course	357				
Speed	5.5 knots				
Range	7.0 nm				
Bearing	148°				
<u>Comments:</u>					

Fisheries Pennant and Sierra Quebec 3 Raised	06/11/2022 17:30	(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	08/11/2022 06:57	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	08/11/2022 06:59	(DD/MM/YY HH:MM)
Response to request for boarding	Yes	

3. LAUNCHING OF RHIB

Time RHIB launched	08/11/2022 06:48 (DD/MM/YY HH:MM)		
RHIB Crew (<i>names</i>)	Steven Pickett, Terence Lishman		
<u>Comments on the approach to the FV:</u> The FV was heading consistently northward from sighting the FV to intercepting it with the WB231. As the WB231 approached the FV stopped and turned. The WB231 circled the FV twice before approaching port side. The captain was identified and a piece of rope was asked to be removed from the water. The SFPO and BPV crew assistant boarded from the starboard side.			
Photographic Evidence Collected (See Annex 1).	Port	PB080002	
	Starboard	PB080006	
	Stern	PB080007	
	Fishing gear		
	Other	ECDIS 1 to ECDIS 4	

4. BOARDING DETAILS

Date and time vessel boarded	08/11/2022 07:01 (DD/MM/YY HH:MM)		
Position vessel boarded	Starboard		
BPV crew assisting	William Farquhar		
Language spoken	Sinhalese, Some English.		
Language Cards used Y/N	Y	Numbers used	BC 1 to 18

5. CREW DETAILS

Captain's name	W.A.R.K Fernando
Captain's nationality	Sri Lanka
Captain's address	515 D/1, BARUDELPOLA, THODUWAWA

Captain's D.o.B	29/06/1978 (DD/MM/YY)	
Number of crew (inc. Captain)	7	
Nationality of Crew	SRI LANKA	
Are any crew under 18 (Y/N), if 'Y' provide details below	Y	
Do any crew have health issues (Y/N), if 'Y' provide details below.	N	
<u>Health issue details:</u>		
Photographic Evidence Collected (See Annex 1).	Captain ID	PB080019
	Other crew ID	PB080022 to PB080028 and PB080031 to PB080035
	Other	PB080111, PB080015 and PB080017

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	HOLY TRINITY
International Callsign	4SF5559
Flag State	SRI LANKA
Authorisation to Fish/Fishing Licence No.	22HSIMUL2161CHW (HIGH SEAS LICENSE)
Valid from / to (dd/mm/yyyy)	2022-02-01 to 2023-01-07
Port of Registration	Negombo

Registration Number	IMULA0869CHW		
FV owner name and details (as per licence)	W.M.A.S FERNANDO,165 THODUWAWA SOUTH. National Identity Card No: 712981636V		
Fishing logbook No.	LB-17 4350		
Issuing Authority	Department of Fisheries and Aquatic Resources, Colombo, Sri Lanka		
Date of last entry (dd/mm/yyyy)	20/07/2022		
Position of last entry	19		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Y. (Port written In Sinhalese). Captain stated that last port was "Dikovita"		
Insurance documentation (Y/N)	Y		
Names and addresses of owners	W.M.A.S FERNANDO,165 THODUWAWA SOUTH. National Identity Card No. 712981636V		
Overall length (ft/m)	14.6304 m	Engine Power (KW/hp)	300 hp
Other paperwork:	<i>National Fishing License, Maritime License (Communications)</i>		
Photographic Evidence Collected (See Annex 1).	Licence	PB080059	
	Logbook	PB080071, PB080075, PB080076, PB080081	
	Boat Departure/Exit	PB080061, PB080063. PB080064, PB080066	
	Other	PB080068, PB080046 to PB080050, PB080054	

7. INTERVIEW WITH CAPTAIN

Time of interview	07:16	(HH:MM)
Travelling to or from fishing grounds?	From	
Port and date of departure	Dikovita 23/09/2022	
Total amount of fish onboard (t)	35 fish (SFPO @350Kg)	
If fish onboard where caught?	Outside BIOT	
If fish onboard when caught?		
If fish onboard how caught?	Longline	
Destination	Colombo	
Next port of call		
ETA	(DD/MM/YY)	

Comments:

At 07:03 the captain read BC 3. The chart plotter was photographed for its GPS position and the Boarding location confirmation report was signed by the captain and a crew member. 4 fishing locations were observed to have been plotted on the chart labelled 0 to 3.

At 07:16 the captain read BC 5. The captain pointed to the VMS and he then pointed to a yellow sack on the floor and stated "Battery no charge". The bag contained an alternator. The alternator was removed and photographed. It was noted that the chart plotter was on for the duration of the inspection and this was photographed by the SFPO on entering the bridge at 07:02 for the Boarding location confirmation report).

The radio was switched on at 07:22 when the captain read BC 6 and BC 7. It was functional and photographed working. The VMS monitoring unit had no lights showing. It had no power. It was photographed. BC 8 was also read at 07:22.

At 07:29 the captain produced the National Fishing Logbook. The last entry was 05/06/2022.

At 07:35 the captain read BC 11. The SFPO referred to the Boat departure form and the captain agreed that the last signature and entry was on the 23/09/2022 by coastguard.

At 07:36 the captain read BC 10. He muttered "Dikovita".

At 07:40 the captain read BC 12. He stated that he was going to "Sri Lanka".

At 07:42 the captain read BC 13. He stated he had 35 fish onboard. He then pointed to all the red tracks at the bottom of the chart which showed they may have been caught in the north, despite the FV coming from the south and being a considerable distance from them. The SFPO asked why he had no tracks in BIOT and he stated because the alternator was broken.

8. VESSEL INSPECTION

Fishing gear type		Longline	
<u>Comments</u>			
All gear appeared to be on deck and adequately stored.			
Catch onboard (estimated/reported t)		0.2 / 0.35	
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	
Description of catch	Predominantly Yellow fin tuna (YFT). All catch on ice. Small quantity of Bank fish <i>Lethrinus mahsena</i>		
<u>Comments</u>			
<p>At 07:46 the captain read BC 14 and the SFPO was shown the hold. The SFPO photographed the hold. The SFPO noted that on the floor of the hold between the storage areas that 3 tuna had loose ice thrown over them to cover them and that they were not stored properly (in plastic bags). The compactness, hardness, colour and quality of the ice indicated that this had been done very recently (Image: PB080092).</p> <p>The SFPO asked for a bait container (photographed at 07:54), a white sack containing fish on ice and 2 tunas to be brought up onto deck. The sack contained 4 large Sky emperor, <i>Lethrinus mahsena</i>, indicative of fishing from the bank on sea grass beds (due to their colour). Due to their size, colour and gill colour (freshness 2) it was considered that the only place they could have been caught was Great Chagos Bank on extensive areas of seagrass known to home large <i>Lethrinus mahsena</i>. The closest location is south of Nelson Island, the direction from which this fishing vessel was travelling.</p>			

NB: Inspection report 015AJK. The FV inspected 06/11/2022 to 07/11/2022 departed Sri Lanka around the same time as this FV and also had a VMS problem and was inspected NE of Nelson.

Photographic Evidence Collected (See Annex 1).	Gear	PB080087, PB080088, PB080089, PB080112, PB080113
	Catch	PB080101, PB080092
	Hold	PB080091, PB080092, PB080093, PB080098, PB080099, PB080101, PB080106, PB080109.
	Other	PB080108.

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	No	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	Yes	x
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Yes	x
Section 7 (1). Is the vessel fishing without a license?	Yes	x
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	Yes	
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order,	No	

direction or requirement given by a Fisheries Protection officer?		
Other:		
<u>Comments</u> Boat departure form indicates that gear was marked. When inspected, no fishing gear was marked.		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	Yes	
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	Yes	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	Yes	x

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	Yes	x
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	No	x
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Yes	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Yes	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	Yes	
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Yes	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Yes	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Yes	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	No	x
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g., name or callsign)?	No	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	Yes	

IOTC Resolution	Yes/No	Non-Compliant (X)
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	No	x
15/03 1: Does the vessel have VMS on board?	Yes	
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	No	x
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	No	x
15/03 9. Is the VMS not working due to technical failure?		
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	No	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board		
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?		
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?		
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?		
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?		
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?		

IOTC Resolution	Yes/No	Non-Compliant (X)
17/05 5. Have shark fins been removed from the carcass?		
12/09 2. Are there any parts or whole carcass of thresher sharks on board?		
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	No	x
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	Yes
Master given verbal warning and released	Yes
No further action, vessel released	
<u>Comments:</u>	
Instructed to leave BIOT waters immediately.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	08:13	(HH:MM)
Time RHIB recovered to the BPV	08:20	(HH:MM)

Comments:

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	Y	IOTC number	17164
Date authorised from	01/02/2022	Date authorised to	07/01/2023
Vessel currently authorised to fish in IOTC area of competence (Y/N)			Y
Version of IOTC database referenced:			
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:

Alastair King

08/11/2022

BIOT Senior Fisheries Protection Officer

The vessel.



The catch (1).



The catch (2).



The catch (3).



Vessel plotter.



High seas licence.

Department of Fisheries and Aquaculture
 Colombo, Sri Lanka

FISHING OPERATIONS LICENSE FOR HIGH SEAS FISHING
 (This License is issued in accordance with provisions of High Seas Fishing Regulations No. 1 of 2019, under the Fisheries and Aquaculture Act No. 37 of 2006.)

1. High Seas License No.	2022/11-05
2. Name of the Vessel	HULLU
3. Nationality/Flag Code	LKA
4. Permanent Address	111, Kumbura Mawatha, Colombo 10, Sri Lanka
5. Contact Details	Mobile: 099 999 9999, Email: hullu@hullu.lk
6. Vessel Details	a. Vessel Name: HULLU b. Vessel No.: 111 c. Vessel Type: Fishing Vessel d. Vessel Length: 12m e. Vessel Width: 3m f. Vessel Gross Tonnage: 10 GRT g. Vessel Net Tonnage: 5 GRT h. Vessel GRT: 10 GRT i. Vessel Net Tonnage: 5 GRT
7. Period of Operation	From 2022-11-05 to 2022-11-05
8. Additional Conditions	None
9. Issued By	Director of Fisheries
10. Signature of Issuing Officer	[Signature]
11. Signature of Vessel Master	[Signature]

Date of Issue: 2022-11-05
 Issuing Officer: [Signature]
 Remarks:



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Mr. Susantha Kahawatta
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

17 November 2022

E-Mail: dgdifar@gmail.com; sjksusantha@yahoo.com
cc. Kalyani Hewapathirana, Director Operations hewakal2012@gmail.com

Ms. Kumari Vithana (Legal Officer DFAR) kumari.n.vithana@gmail.com
Mr. Jayakody (Director Investigation DFAR) hsfuinvestigation@gmail.com

Dear Mr Kahawatta,

Notification of vessel inspection on Sri Lankan Flagged vessel in BIOT waters: HOLLY TRINITY (IMUL-A-0869-CHW), IOTC No. 17164.

On 8th November 2022 the Senior Fisheries Protection Officer boarded and inspected the vessel HOLLY TRINITY (IMUL-A-2044-MTR). Although the gear was stowed, the vessel appeared to have fresh fish on board and apparent fishing tracks on the plotter. In addition had not submitted a transit report and although it did have a VMS on board it was not working due to a faulty alternator. The vessel did have a national logbook on board but there had been no entry into it since 05/06/2022

An inspection report for the vessel is attached.

We would be grateful if you could investigate the activities of this vessel regarding any fishing outside 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.

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

Yours Sincerely

Balraj Dhanda
BIOT Administrator, Director of Fisheries

Dr C. C. Mees
UK Delegation to IOTC

Attachment: Inspection Report for vessel IMUL-A-0869-CHW (more photos are available on request).

Table 2:Status of legal actions taken against the Sri Lanka Vessels reported in BIOT waters (70 days prior reporting to COC)

S/N	Reg. Number / Vessel Name	Date of arrested /inspected	Date of arrival to SL	Initial Actions taken by DFAR	Legal Actions taken	Current Status
01	IMULA0248KLT (DILSHANTHA)	08.02.2022	27.03.2022	<p>(i) Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>(ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv) The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex iv)</p>	<p>(i)Initiate court case in MC Colombo under 14 F sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 65793/5/22 on the date of 21.02.2022</p> <p>(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii)Skipper license has suspended for 6 months and informed for all harbour operation officers.</p> <p>(i)Accused accept the guilty and request for settlement under 52(B)sentence of FARA No.02 of 1996</p> <p>(ii)Court date was 04th May 2022</p> <p>(iii)Administrative penalty 500,000 LKR is paid.(Receipt No: H/25 416475 – Annex-i)</p> <p>(iv)VMS Installed on 31st October 2022</p> <p>(vi)Added to the risk vessel list of DFAR</p>	<p>(i)Case is over. Suspensions lifted.</p>

02	IMULA0947MTR (CHUTI KUMARI)	10.02.2022	21.03.2022	<p>(i)Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>(ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex v)</p>	<p>(i)Initiate court case in MC Colombo under 14 F sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 65794/5/22 on the date of 21.02.2022</p> <p>(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii)Skipper license has suspended for 6 months and informed for all harbour operation officers.</p> <p>(iv)Accused accept the guilty and request for settlement under 52(B)sentence of FARA No.02 of 1996</p> <p>(v)Court date was 04.05.2022</p> <p>(vi)Administrative penalty SLR 500,000LKR is paid. (Receipt No:H/25 416129- Annex ii)</p> <p>(vii)VMS installed on 24th August 2022</p> <p>(viii)Added to the risk vessel list of DFAR</p>	(i) Case is over. Suspensions lifted.
03	IMULA2044MTR Natalia	16.10.2022	09.12.2022	<p>(i)Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>(ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex vi)</p>	<p>(i)Initiated court case in MC Colombo under 14 A sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 83350/5/23 on the date of 21.10.2022</p> <p>(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii)Skipper license has suspended for 6 months and informed for all harbor operation officers.</p> <p>(iv)Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.</p>	<p>i)Administrative penalty 500,000 LKR has imposed for owner</p> <p>ii) Administrative penalty 500,000 LKR is paid on 05.01.2023 (Receipt No: H/25 421930- Annex iii)</p> <p>iii) Added to the risk vessel list of DFAR</p> <p>iv)Case is over. Suspensions lifted</p>

04	IMULA2159CHW	07.11.2022	<p>DFAR received the letter of reporting from the BIOT on 5th January 2023 (Two months later) The boat has departed again for fishing on the date of 08th January 2023, before issuing the detain order by DFAR.</p> <p>(iii)The same skipper W.R.R. Fernando) has engaged in the fishing voyage.</p>	<p>(i)Letter has been issued by DFAR Detained the vessel after arrival to the port of SL on the date of 9th January 2023.</p> <p>(ii) The Coast Guard Dept. and the harbor officers have been informed to be vigilant on the arrival of the vessel</p> <p>(iii)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex vii)</p>	<p>(i)Initiated court case in MC Colombo under 14 A sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 84307/5/23 on the date of 17.01.2023</p>	Investigation temporary hold till the arrival of the vessel.
05	IMULA0869CHW	08.11.2022	16.11.2022	<p>i)Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex viii)</p>	<p>i) Investigation conducted.</p> <p>(ii) The violation we noted referring to BIOT inspection was the no recording of fish catch on board in the log book but no proven evidence provided.</p> <p>(iii) In our investigations DFAR found that the log book pages are duly filled.</p>	Investigation pending-

06	IMULA0235KLT (SAMPATH)	21. 12.2022	29.12.2022	<p>(i)Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>(ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex ix)</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: 83350/5/23 on the date of 03.01.2023</p> <p>(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii)Skipper license has suspended for 6 months and informed for all harbor operation officers.</p> <p>(iv)Accused accept the guilty and request for ad under 52 (B) sentence of FARA No. 2 of 1996.</p>	(i)Next court date- 24 th January 2023
07	IMULA0704NBO	05.01.2023	13.01.2023	<p>(i)Detained the vessel after arrival to the port of SL and being kept under the supervision of Department of Coast Guard (DCG).</p> <p>(ii)Summoned the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii)Suspended the fishing operation license, skipper license and seized the registration certificate and the log book issued to the vessel.</p> <p>(iv)The owner informed of the consequences of being listed in the IUU vessel list as per the IOTC Resolution 18/03. (Annex x)</p>	<p>(i)Initiated court case in MC Colombo under 14 A sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 84306/5/23 on the date of 17.01.2023</p> <p>(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii)Skipper license has suspended for 6 months and informed to all harbor operation officers.</p> <p>(iv)Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.</p>	(i)Next court date- 15 th March 2023

08	IMULA0680CHW	-	25.07.2022		(i)DFAR made a request for the inspection reports from the BIOT authorities by email on the date of 11 th July 2022.	(i)Both vessels are authorized to operate in the high seas.
09	IMULA1853MTR		31.07.2022	No inspection report submitted by BIOT	(ii)BIOT authorities reported that the 3 vessels were reported by a military vessel and no inspection reports available.. (iii)The evidence is inadequate to file a court case. (iv) Investigation conducted .	(ii)It is noted that the IMUL-A-1853MTR vessel has not submitted BIOT transit report and the skipper and the owner have been warned in this regard. (iv)The old VMS devices were removed and two vessels are installed with the new operational VMS.
10	Subashi Duwa 1	Sri Lanka fishing vessels are identified by the registration number not by the given name. The provided information is inadequate to identify the vessel for investigation.				



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Indian flagged Vessel IND-TN-15-MM-5661 (AKASH)

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters; fishing contrary to IOTC Conservation Management Measures for the Indian flagged vessel IND-TN-15-MM-5661 (AKASH) has already been submitted.

This vessel was included on the IOTC IUU vessels list in May 2023.

The attached evidence shows that:

- The vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- The vessel was boarded and inspected on 9 February 2023. The vessel was fishing illegally without a licence within BIOT waters. The current inspection was the fourth in BIOT waters and had been reported to India on 11th August, 24th October and 9th January 2022. The current inspection occurred after the 70-day deadline for reporting to the Compliance Committee but before the vessel was listed – it is thus reported for information only.
- The vessel did not submit a transit report prior to entry into the FCMZ; it had no VMS present onboard.
- Species identified from hold inspections included IOTC managed species, 50 tunas
- UK notified the details of this vessel to India on 19 February 2023.

As this vessel is already IUU listed we submit this vessel to IOTC Compliance Committee with recommendation **b) ‘Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.’**

To date India has not provided details of the actions it has taken against this or any of its vessels on the IOTC IUU vessels list. This demonstrates India’s disregard of, and failure to implement, its flag State Controls, and we recall paragraph 159 of the Report of the 20th Compliance Committee Meeting which set out four points for India to address in this regard, to be reported at CoC21. We also propose that the Compliance Committee reiterates this request for the upcoming intersessional period, reporting in 2025 to CoC22.

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, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting form for Illegal Activity, IND-TN-15-MM-5661
(AKASH)

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	AKASH (INDTN15MM5661)
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	<i>No file(s) uploaded</i>
f	Call Sign	Unknown
	Previous call sign, if any	
g	Owner	William S/O Manuvelpillai
	Previous Owner/s, if any	
h	Operator	Unknown and William S/O Manuvelpillai

	Previous Operator/s, if any	
	Master/Fishing Master	
i	Date of alleged IUU fishing activities	09/02/2023
j	Position of alleged IUU fishing activities	6° 10' 0.12" S 72° 7' 59.88" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization, no tuna or tunal-ike species observed. (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	Reported to flag State and Master prosecuted
m	Outcome of actions taken	NoneVessel detained

B. Details of IOTC Resolution Elements Contravened Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;,, k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_CJ055_IN-DTN15MM5661_AKASH_09_02_2023_FINAL.docx
2	Court proceedings	03_Detention_notification_IN-DTN15MM5661_AKASH_2023_02-09.docx 20230209 - Court Case Conviction - Akash.pdf

3 Communication with flag State [20230219_Akash_To_India.docx](#)

4 - *No file(s) uploaded*

5 - *No file(s) uploaded*

6 *No file(s) uploaded*

Upload any other documents below, if any

[Photographic_Evidence_CJ055_INDTN15MM5661_AKASH_09_02_2023.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

b. Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.

Additional information can be provided below:

Additional information

1. SUMMARY

Date of boarding	09/02/2023
Patrol type and number	FIPA136
Vessel name	AKASH
Vessel type	Gillnet (extensive handlines used)
Vessel flag and port of reg.	India, Colachel
Vessel Registration No.	IND-TN-15-MM-5661
IOTC# (if registered)	not registered
Vessel Captain's name	William M
SFPO	Caradoc Jones
BPV crew assisting	

Action Taken: When first sighted this vessel was located moving very slowly along a shallow bank in a typical fishing pattern (See Fig 2 in accompanying photographoc evidence). As the BPV approached to within 6 nautical miles (NM) the Akash moved away rapidly to the south. It continued on this evasive course after requests to stop and only came to a halt when we overhauled it in the BPVs Work Boat. During discussions with the captain they declared they had been fishing around this area (where first sighted) for five days and had caught their fish here (50 Tuna and 400 Red Snapper) nearly all by handlining by ten crew at a time. Some lures had been towed whilst moving between locations. They stated that they had not used the gill-nets and long lines that were aboard. Subsequent deck and hold inspections confirmed these general assertions, except two long line dan-buoys were in a deployment position rather than being stowed. No transit report had been submitted. Interogation of the vessel plotter (see Figs 15-20) revealed that nearly all fishing tracks and waypoints (193) were within the central area of the BIOT FCMZ around the islands reefs and banks there. Additional positions, species and catches were also recorded in a copy book (see Figs. 13 & 14) all of which were again from the same central areas. This was the fourth occassion this vessel with the same Captain / Owner aboard has been inspected in BIOT. A verbal warning had been issued on the three previous occassions as recorded in the inspection reports CJ025-22/03/2022, 010AJK-28/09/2022 & CJ048-14/12/2023. The vessel was reboarded the following day 10/02/2023 to complete inspection and inform of detention.

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

Date and time of first sighting	09/02/2023 16:08 (DD/MM/YY HH:MM)		
Sighted by: (insert name)	Ian Bowman	Radar or Visual	Radar
Position of target	-6.1667 72.1333		
Course° degs	59		
Speed kts.	00.40		
Range nm	08.30		
Bearing° degs	188		
<u>Comments:</u>			
Fisheries Pennant and Sierra Quebec 3 Raised	9/02/2023 16:32		(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	09/02/2023 16:32		(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	09/02/2023 16:55		(DD/MM/YY HH:MM)
Response to request for boarding	No response but hove to once overhauled by BPV Work Boat.		

3. LAUNCHING OF RHIB

Time RHIB launched	09/02/2023 16:32 (DD/MM/YY HH:MM)	
RHIB Crew (names)	Donald MacFarlane, Kevin Duthie	
<u>Comments on the approach to the FV:</u>		
Photographic Evidence Collected (See Annex 1).	Port	6
	Starboard	4
	Stern	2
	Fishing gear	19
	Other	

4. BOARDING DETAILS

Date and time vessel boarded	09/02/2023 17:00		(DD/MM/YY HH:MM)
Position vessel boarded	-6.2167 72.1333		
BPV crew assisting			
Language spoken	English (excellent translation via crew member)		
Language Cards used Y/N	Y	Numbers used	1,2,3, 4,5,6,8,10,11,12,13,14, 15,19 modified.

5. CREW DETAILS

Captain's name	William M		
Captain's nationality	Indian		
Captain's address	S/O Manuvelpillai, III-10/4, Stage Vilagam, Thoothoor, Vilavancode, Kanniyakumari, Tamil Nadu, 629176. Nat ID No:357730945010		
Captain's D.o.B	22/03/1972		(DD/MM/YY)
Number of crew (inc. Captain)	14		
Nationality of Crew	Indian		
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 (queried twice & stated as all healthy)		
<u>Health issue details:</u>			
Photographic Evidence Collected (See Annex 1).	Captain ID	3	
	Other crew ID	3	
	Other		

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name		Akash	
International Callsign		no callsign	
Flag State		India	
Authorisation to Fish/Fishing Licence No.		TN-L168601/21 & 16/08/21	
Valid from / to (dd/mm/yyyy)		22/02/2020 to 21/02/2023	
Port of Registration		Colachel	
Registration Number		IND-TN-15-MM-5661	
FV owner name and details (as per licence)		William S/O Manuvelpillai, III-10/4, Stage Vilagam, Thoothoor, Vilavancode, Kanniyakumari, Tamil Nadu, 629176. Nat ID No:357730945010	
Fishing logbook No.		No official logbook forthcoming. X2 copy book pages on board - See Figs 13,14.	
Issuing Authority		none	
Date of last entry (dd/mm/yyyy)		no date recorded.	
Position of last entry		5° 51.2'S 71° 38.461'E	
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.		N	
Insurance documentation (Y/N)		N	
Names and addresses of owners	William S/O Manuvelpillai, III-10/4, Stage Vilagam, Thoothoor, Vilavancode, Kanniyakumari, Tamil Nadu, 629176. Nat ID No:357730945010		
Overall length (m)	19.40	Engine Power (hp)	122.0
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence		1
	Logbook		2 (informal copy book)
	Boat Departure/Exit		none
	Other		31 plotter tracks and waypoints.

7. INTERVIEW WITH CAPTAIN

Time of interview	17:10 (Not formal interview)	(HH:MM)
Travelling to or from fishing grounds?	N. "Fishing here".	
Port and date of departure	Thenga Pattanam. 30/01/2023	
Total amount of fish onboard (t)	2.5t SFPO est. 450 fish reported.	
If fish onboard where caught?	Great Chagos Bank around 5°59'S and 72° 9'E	
If fish onboard when caught?	"Last five days." ~ 5-9/02/2023	
If fish onboard how caught?	Handlining	
Destination	Thenga Pattanam	
Next port of call	Thenga Pattanam	
ETA	15/02/2023	(DD/MM/YY)
<u>Comments:</u> Extensive records of fishing movements on GPS plotter, all across central BIOT FCMZ		

8. VESSEL INSPECTION

Fishing gear type	Handlines, Gillnets, Longlines & some towed lures.		
<u>Comments</u> Stated that they were only using handlines			
Catch onboard (estimated/reported t)	2.5t SFPO est. 450 fish reported.		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	unk (pending detailed catch identification, none stated)
Description of catch	Tuna spp., snappers, emperors and groupers, shark spp.		
<u>Comments</u> Species identification and catch weight estimates pending unloading of catch.			
Photographic Evidence Collected (See Annex 1).	Gear	14	
	Catch	9	
	Hold	9	
	Other		

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	No (coral on roof)	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	No	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	No	
Section 7 (1). Is the vessel fishing without a license?	Yes	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	No	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	Yes	X
Other:		
<u>Comments</u> Did not respond to request to stop before inspection.		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	No	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	n/a as not an AFV	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	n/a as not an AFV	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	n/a as not an AFV	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	Yes (but invalid for BIOT)	X

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Yes	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Yes	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	No	X
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Yes	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Yes	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Yes	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Yes	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	No	X
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	No	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	n/a as no logbook	
15/03 1: Does the vessel have VMS on board?	No	X
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	n/a	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	n/a	
15/03 9. Is the VMS not working due to technical failure?	n/a	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (12/12 binding on Pakistan)	unk	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	unk	

IOTC Resolution	Yes/No	Non-Compliant (X)
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	unk (none seen in hold inspection, pending detailed catch identification)	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	unk (none seen in hold inspection, pending detailed catch identification)	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	unk (none seen in hold inspection, pending detailed catch identification)	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	unk (none seen in hold inspection, pending detailed catch identification)	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	unk (none seen in hold inspection, pending detailed catch identification)	
17/05 5. Have shark fins been removed from the carcass?	unk (none seen in hold inspection, pending detailed catch identification)	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	unk (none seen in hold inspection, pending detailed catch identification)	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	No	X
<p><u>Comments</u> Initial hold inspection. Detailed catch investigation is still pending.</p>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	X
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	
Master given verbal warning and released	
No further action, vessel released	
<u>Comments:</u> Prosecution pending..	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	18:27	(HH:MM)
Time RHIB recovered to the BPV	18:35	(HH:MM)
<u>Comments:</u> Vessel was requested to standby overnight and was reboarded the following day 10/02/2023 to complete inspection and inform of likeley detention once confirmed (16:46)		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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)			N
Version of IOTC database referenced:			IOTC/MRAG
Vessel previously boarded (Y/N)	Y. On three previous occasions.	Inspection report ID	CJ025-22/03/2022, 010AJK-28/09/2022, CJ048-14/12/2023.
Master previously boarded (Y/N)	Y. On three previous occasions.	Inspection report ID	CJ025-22/03/2022, 010AJK-28/09/2022, CJ048-14/12/2023.
Owner previously boarded (Y/N)	Y. On three previous occasions.	Inspection report ID	CJ025-22/03/2022, 010AJK-28/09/2022, CJ048-14/12/2023.
Crew previously boarded (Y/N)	unk	Inspection report ID	
<u>Comments:</u> The same vessel with the same Owner/Captain has been inspected and verbally warned on three previous occasions.			

Caradoc Jones

12/02/2023

BIOT Senior Fisheries Protection Officer

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number of photos
Prior to Boarding		Portside	6
		Starboard side	4
		Vessel name and identification	5
		Bow	3
		Stern	2
		Evidence of fishing	3
		FV with BPV	2
		Other	15 ECDIS
Wheel house		Radar	
		GPS	31 (SH-1098), 1 (Garmin 128)
		SFPO GPS	
		Radio equipment	1
		VMS	No VMS
		Plotter	31 (SH-1098)
Documents		License	1
		Logbook	2 (informal copy-book)
		Boat departure form	No document
		Insurance	No document
		Other documents	6
Crew identification		Captain photos	2
		Crew member photo	2
		Captain identification	3
		Crew identification	1 (list of all crew details)
Fishing activity	Fishing equipment	Nets	2
		Longline	4
		Wire trace	
		Hand line	6
		Harpoon	
		Pots / traps / cages	
		Marker buoys	7
		Fishing equipment in water	
		Other	1 collected coral
	Evidence of fishing	Blood on deck	
		Catch in water	
		Catch released alive	
		Hauling	
		Position Gear (start)	31 (plotter fishing locations)
		Position Gear (end)	31 (plotter fishing locations)
	Holds and catch storage	Hold lid on	
		Hold lid off	2
		Catch in hold	11
		Bridge deckhead	
Catch on deck			
	Security seals		
Other (list)			

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.

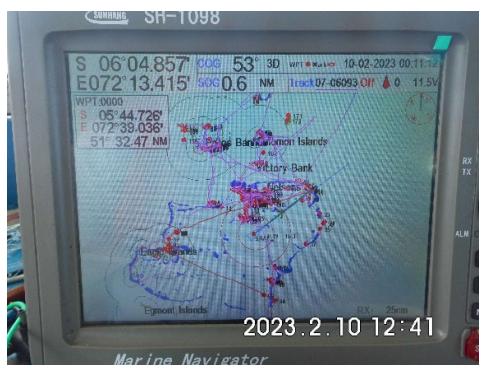
[Fig.5] Logged positions with catch all in central BIOT



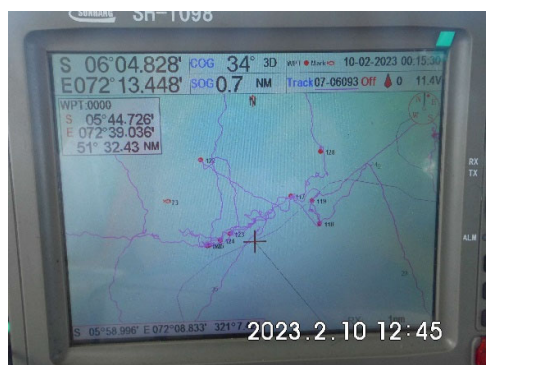
[Fig.6] Logged positions in central BIOT



[Fig.7] Tracks and waypoints focussed on BIOT

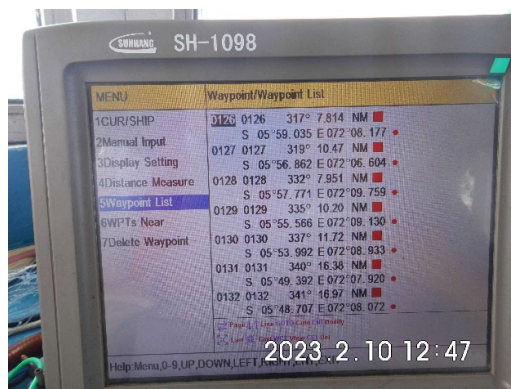
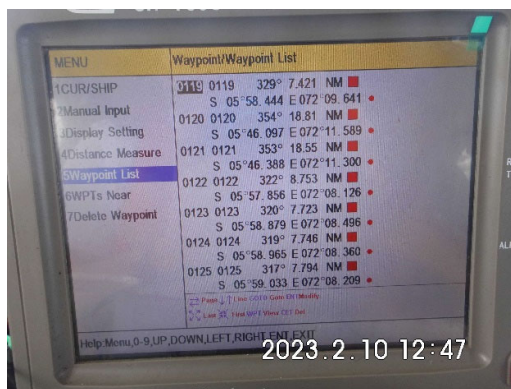


[Fig.8] Focussed on central BIOT FCZ



[Fig.9] Tracks & Waypoints around central banks

[Fig.10] Track and waypoints for last 5 days fishing



[Fig.11] Waypoints in last period of fishing. All in central BIOT FCZ.

[Fig.12] Waypoints in last period of fishing. All in central BIOT FCZ.



[Fig.13] Akash stern: note dan-buoys in deployment position.



[Fig.14] Akash starboard: note dan-buoys in deployment position.



[Fig.15] Akash bow.



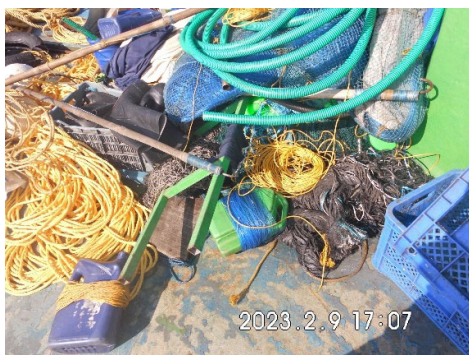
[Fig.16] Akash port



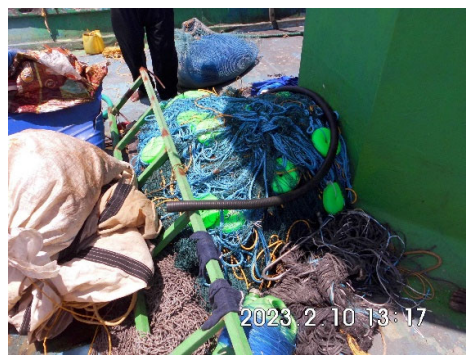
[Fig.17] Hand line



[Fig.18] Anchor not stowed



[Fig.19] Hand line, long lines, gaffs



[Fig.20] Tuna net unstowed



[Fig.21] Long line in engine room space



[Fig.22] Checking internal panel between iced holds.



[Fig.23] No vessel ID or numbers on dan-buoys



[Fig.24] Coral on wheelhouse roof.



[Fig.25] Fresh catch in hold.
LUTJANIDAE & SRRANIDAE



[Fig.26] Jack



[Fig.27] Lutjanus bohar



[Fig.28] Tuna spp.



[Fig.29] Mixed tuna spp.



[Fig.30] Kawakawa and mixed tuna spp.

Detention Notification

BPV Grampian Frontier

Sent to ROPO1 and 2



Date		SFPO	
Call to BIOT Police	Date:09/02/2023	Detention Notification Issued	Date:10/02/2023
	Time:19:00		Time: Once confirmed by Ropo1
Name of Vessel	AKASH IND-TN15-MM-5661	Initial Target Sighting	Lat:06°09.7'S
			Long:72°07.7'E
			Speed:0.4
			Bearing:188° Range: 8.3nm
			Time:16:08
Name of Captain	William M	Nationality of Captain	Indian
Number of crew (including Captain):	14	Position and time of Boarding	Lat:
			Long:
			Time:
Nationality of crew	Indian	Fishing Licence Number(s)	TN-L168601/21
Number of crew under 18	NONE	IOTC Registered (Y/N)	N
Flag state	INDIA	IOTC Number	n/a
Any Medical conditions (description)	none		
Explosives on board Y/N (describe)	unk	Weapons on board Y/N (describe)	Standard fishing gear – gaffs, spears, knives.
Poisons on board Y/N (describe)	unk	Infestations Y/N (describe)	unk
ETA at Fairway Buoys	Date: 11/02/2023	Items to be photographed In Situ Camera Memory card to be handed over to ROPO on arrival to BIOT Police Station for evidence	
	Time:09:00L		

Detention Notification

BPV Grampian Frontier

Sent to ROPO1 and 2



Alleged Offence: The Fisheries (Conservation and Management) Ordinance 2007	Yes/No	Action (Detain/ Fixed Penalty/Other)
Section 5 (1(c)) Possession of sea cucumbers	No	
Section 6 Possession of prohibited fishing gear	No	
Section 7 (1) Fishing without a licence	Yes	
Section 7 Evidence of recent fishing e.g. gear in water, seen catching fish, fresh fish on deck or seen in holds	Yes	
Section 8 Failing to notify a Fisheries Protection Officer of fish on board a fishing boat prior to entering the fishing waters	Yes	
Section 9 (1) Fishing gear not stowed and readily available for fishing	Yes	
Section 16 Obstruction of a Fisheries Protection Officer	No	

This vessel has not filed a transit report and openly said they had caught all the fish (2.5 tonnes or 50 Tuna and 400 Red Snapper (Bohar Lutjanus) on board over the last five days by by x10 of the crew handlining at the shoal located at 5°44.726'S 72° 39.036'E as indicated and photographed on their GPS plotter. This is in the middle of the Great Chagos Bank.

This vessel has been intercepted and inspected in BIOT water on two previous occasions(CJ025-22/03/2022 & 010AJK-28/09/2022) with the same Captain / Owner (William S/O William S/O Manuvel [1]-10/4, Stage Vilagam, Thoothor. Aadhaar (UID): 357730045010) present on each occasion when he was given a verbal warning. This is the third time the vessel has been inspected.

Recently caught fish were evident at the base of the hold entrance. The usual type and numbers of industrial grade handlines were unstowed and available for use. Two Dan Buoys were in a deployment position though they insisted they were not long-lining. An anchor was ready to be cast and fishing gaffs were unstowed. Coral was stored on the roof.

No gear seen in water or being hauled. No fish on deck.



BRITISH INDIAN OCEAN TERRITORY
MAGISTRATE'S COURT
CERTIFICATE OF CONVICTION

Case Number: 003-23

This is to certify that on the 16th day of February 2023, Mr William S/O Manuvelpillai attended the Magistrate's Court in Diego Garcia and on his own admission guilty pleas were entered to the following charges:

STATEMENT OF OFFENCE

Charge One;

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 William S/O Manuvelpillai, on or between the 4th day of February 2023, was the master of an Indian registered fishing boat known as AKASH IND-TN15-MM-5661, which was being used for fishing within the fishing water of the British Indian Ocean Territory otherwise than in accordance with a fishing licence.

STATEMENT OF OFFENCE

Charge Two;

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

SENTENCE

On the 17th day of February 2023, Mr William S/O Manuvelpillai was sentenced for the offences set out above, as follows:

Charge One Fine of £ 10,000

Charge Two Fine of £ 5,000

Court Costs £ 100

All financial penalties to be paid within 28 days.

A forfeiture and destruction order was made in connection with the fishing gear that was seized.

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

17th February 2023



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Sanjay Pandey
AC(Fy); FoF, GoI

Cc: Dr P. Paul Pandian
Fisheries Development Commissioner, Government of India

Mr I.A. Siddiqui
Fisheries Development Commissioner (i/c)

19 February 2023

Mr. J. Balaji
Ministry of Fisheries, Animal Husbandry and Dairying

E-Mail: sanjay.rpandey@gov.in; ia.siddiqui@gov.in; jsfy@nic.in; pl_pndn@yahoo.com

Dear Dr Panday,

Report on the inspection of the Indian flagged vessel AKASH (IND-TN-15-MM-5661) in the waters of the British Indian Ocean Territory (BIOT) and request for assistance:

The above referenced Indian flagged longline vessel IND-TN-15-MM-5661 was inspected on 9th February 2023 in BIOT waters, on suspicion of being involved in illegal activities, specifically illegal fishing in BIOT waters. It had not provided a Transit Reporting Form to the Senior Fisheries Protection Officer. We have attached an inspection report including photographs of the vessel and its catch, more are available on request. The vessel captain admitted that they had been fishing in BIOT waters for the last 5 days and had 50 tuna and 400 red snapper on board. The vessel was detained and taken into Diego Garcia for trial. The Captain admitted to illegally fishing in BIOT waters, the catch and gear were confiscated and the captain was fined £15,000. This vessel has previously been intercepted a number of times and been reported to India on 11th August, 24th October and 9th January 2022. Details of this have been submitted to yourself and to IOTC, I attach the latest boarding report and supporting photographs, the court proceedings will follow shortly.

We note that this vessel appears to be from Tamil Nadu in common with vessels previously reported to India earlier this year and previously in 2015.

We kindly request your assistance to recall this vessel to port and notify the relevant port authorities pending investigation. We would be grateful if you could conduct a regulatory investigation into the activities of these vessels, including any 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 this vessel that you plan to implement through the Indian/State authorities if it is confirmed that it is in violation of the fisheries regulations of India including illegal fishing in the waters of a third State, namely BIOT.

If you have any questions or require assistance, please do not hesitate to contact us, as always we look forward to your cooperation as requested above.

Yours Sincerely

Balraj Dhanda
BIOT Administrator

James Moir Clark
UK Delegation to IOTC



Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC
Dr S. Pandey; Mr J. Balaji, Ministry of Fisheries, Government of India

Dear Dr DeBruyn,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Indian flagged Vessel IND-TN-15-MM-322 (Emmanuel)

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting: IUU fishing activity in BIOT waters; fishing contrary to IOTC Conservation Management Measures for the Indian flagged vessel IND-TN-15-MM-322 (Emmanuel) has already been submitted.

This vessel was included on the IOTC IUU vessels list in May 2023.

The attached evidence shows that:

- The vessel was not on the current IOTC Record of Authorised Vessels and was unauthorised to fish.
- The vessel was boarded and inspected on 2 March 2023. The vessel was fishing illegally without a licence within BIOT waters. The current inspection was after the 70-day deadline to IOTC in 2023 but before the vessel was listed – it is reported for information only.
- The vessel did not submit a transit report prior to entry into the FCMZ; it had no VMS present onboard.
- Species identified from hold inspections included IOTC managed species.
- UK notified the details of this vessel to India on 5 April 2023.

As this vessel is already IUU listed we submit this vessel to IOTC Compliance Committee with recommendation **b) ‘Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.’**

To date India has not provided details of the actions it has taken against this or any of its vessels on the IOTC IUU vessels list. This demonstrates India’s disregard of, and failure to implement, its flag State Controls, and we recall paragraph 159 of the Report of the 20th Compliance Committee Meeting which set out four points for India to address in this regard, to be reported at CoC21. We also propose that the Compliance Committee reiterates this request for the upcoming intersessional period, reporting in 2025 to CoC22.

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, appearing to read 'J. Moir Clark', with a stylized flourish at the end.

Mr J. Moir Clark

UK Delegation to IOTC

Supporting evidence: IOTC Reporting form for Illegal Activity, IND-TN-15-MM-322

(Emmanuel)

A. Details of Vessel

Please detail the incidents(s) in the format below

Item	Definition	Details
a	Current Name of Vessel	EMMANUEL (INDTN15MM322)
	Previous vessel name/s, if any	
b	Current Flag	IND / India / Inde
	Previous flag/s, if any	-
c	Date first included on IOTC IUU Vessel List (if applicable)	n/a
d	Lloyds IMO Number, if available	n/a
e	Photograph of vessel, if available	<i>No file(s) uploaded</i>
f	Call Sign	Unknowan
	Previous call sign, if any	
g	Owner	SASIKUMAR
	Previous Owner/s, if any	
h	Operator	Vinu ARULAPPAN

	Previous Operator/s, if any	
	Master/Fishing Master	
i	Date of alleged IUU fishing activities	02/03/2023
j	Position of alleged IUU fishing activities	5° 46' 0" S 72° 31' 0.12" E
k	Summary of alleged IUU activities (see section B for more detail)	(a).Not on RAV (h).Fishing in coastal state waters without authorization, no tuna or tunal-ike species observed. (k).Contravention of IOTC CMMs (e.g. no logbook)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	Listed on IOTC IUU Vessels May 2023.

B. Details of IOTC Resolution Elements Contravened Within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, that vessel has :

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);, a. engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 19/04, nor recorded in the Active list of vessels;; k. engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;

C. Associated Documents

Select associated documents and upload them

Doc No	Associated document	Upload
1	Inspection report	InspectionReport_CJ064_INDTN15MM322_EM-MANUEL_02_03_23.docx
2	Court proceedings	No file(s) uploaded

3	Communication with flag State	No file(s) uploaded
4	-	No file(s) uploaded
5	-	No file(s) uploaded
6		No file(s) uploaded

Upload any other documents below, if any

[Photographic_Evidence_CJ064_INDTN15MM322_EMMANUEL_02_03_23.docx](#)

D. Recommended Actions

Notification: *(Select one option)*

b. Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.

Additional information can be provided below:

Listed on IOTC IUU Vessels May 2023.

1. SUMMARY

Date of boarding	02/03/2023
Patrol type and number	FIPA138
Vessel name	Emmanuel
Vessel type	Registered as Gillnetter but long lines in use.
Vessel flag and port of reg.	Indian, Colachel
Vessel Registration No.	IND-TN-15-MM-322
IOTC# (if registered)	Not registered
Vessel Captain's name	Vinu Arulappan
SFPO	C. Jones
BPV crew assisting	Sgt Billinton RMs, Hanah Smart RN

Action Taken: Note by CJ SFPO -This vessel Emmanuel also inspected on 27/09/2022 (Report No: 009AJK) and vessel details not taken during the present inspection were obtained from the records in the previous inspection. All these are highlighted in blue.

We boarded the fishing vessel known as Emmanuel at around 08:20 the morning of 02 March 2023, via the daughter craft to the BPV. This vessel was marked with all required markings for fishery protection. The boarding team consisted of Sgt Billington and LMA Smart, I was first, then LMA Smart. We clearly directed the crew of the FV to stay toward the back of the vessel. I identified who the master/captain was and instructed him to provide me with the documentation for the craft, the registration was provided but this did not match his name. The name on the registration was the other owner of the vessel, the captain was a joint owner but his identification was out of date and was not present.(Note by SFPO:The Marine Fishers ID card for the captain Vinu Arulaapan is photographed and correct) We checked all the crew identification documents and photographed the crew individually and also as a group . we then checked the plotter, but this was not working despite attempts to rectify the problem, we were then informed that they were fishing as a fleet and this is how he navigated. We proceeded to inspect the holds this was done by Sgt Billington with assistance of the crew. On entering the hold approx 10 – 15 sharks were on the floor not on ice 3 large sharks identified as thresher sharks on ice were visible. 3 holds were full of fish and 2 holds partially full. Pictures of the fishing gear were also taken (figs?) majority of the fishing gear was long lines with very little nets. Multiple bundles of wire trace with and without hooks were identified and multiple boxes of hooks . Crew and captain had admitted to fishing for sharks and had multiple lines in the water at the time of boarding with both lines being cut on retrieval when asked to haul. . (CJ: SFPO This vessel along with three other vessels that were boarded at the same time were gathered together and escorted overnight away to the NE from the fishing grounds being released at 07:00 hrs on the 03/03/2023 at -4.4057°S 73.2940°E with instructions to continue on their course to leave the MPA.) Boarding position taken from ECDIS for that time.

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

Date and time of first sighting	02/03/2023 02:24 (DD/MM/YY HH:MM)		
Sighted by: (insert name)	Lucasz Kisielewski	Radar or Visual	R & V
Position of target	-5.9000 72.4833		
Course° degs	unk		
Speed kts.	unk		
Range nm	unk		
Bearing° degs	unk		
<u>Comments:</u>			
Fisheries Pennant and Sierra Quebec 3 Raised	02/02/2023 07:20 (DD/MM/YY HH:MM)		
Vessel called on VHF CH16 and MF 2182.0	02/02/2023 08:23 (DD/MM/YY HH:MM)		
Target requested to stop and prepare for boarding	02/02/2023 08:23 (DD/MM/YY HH:MM)		
Response to request for boarding	Vessel hove to		

3. LAUNCHING OF RHIB

Time RHIB launched	02/02/2023 07:15 (DD/MM/YY HH:MM)		
RHIB Crew (names)	Donald MacFarlane, Kevin Duthie		
<u>Comments on the approach to the FV:</u>			
Photographic Evidence Collected (See Annex 1).	Port	4	
	Starboard	8	
	Stern	3	
	Fishing gear		
	Other		

4. BOARDING DETAILS

Date and time vessel boarded	02/02/2023 08:20	(DD/MM/YY HH:MM)
Position vessel boarded	-5.7667 72.5167	
BPV crew assisting		
Language spoken		
Language Cards used Y/N		Numbers used

5. CREW DETAILS

Captain's name	Vinu Arulappan	
Captain's nationality	Indian	
Captain's address	unk	
Captain's D.o.B	22/03/1972	(DD/MM/YY)
Number of crew (inc. Captain)	10	
Nationality of Crew	Indian	
Are any crew under 18 (Y/N), if 'Y' provide details below	unk	
Do any crew have health issues (Y/N), if 'Y' provide details below.	unk	
Health issue details: _n/a		
Photographic Evidence Collected (See Annex 1).	Captain ID	1
	Other crew ID	9
	Other	Owmer details 5

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Emmanuel		
International Callsign			
Flag State	India		
Authorisation to Fish/Fishing Licence No.	none		
Valid from / to (dd/mm/yyyy)	n/a		
Port of Registration	COLACHEL + KANYAKUMARI		
Registration Number	IND-TN-15-MM-322		
FV owner name and details (as per licence)	SASI KUMAR, 10/220A, NEW HOSPITAL, VILAGAM, THOOTHOR		
Fishing logbook No.	no logbook		
Issuing Authority	n/a		
Date of last entry (dd/mm/yyyy)	n/a		
Position of last entry	n/a n/a		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	N		
Insurance documentation (Y/N)	N		
Names and addresses of owners	SASI KUMAR, 10/220A, NEW HOSPITAL, VILAGAM, THOOTHOR. The captain Vinu Arulappan is also a joint owner.		
Overall length (m)	19.20	Engine Power (hp)	106.0
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence		
	Logbook		
	Boat Departure/Exit		
	Other		Cert of Reg. 5

7. INTERVIEW WITH CAPTAIN

Time of interview	08:30	(HH:MM)
Travelling to or from fishing grounds?	fishing here	
Port and date of departure	unk	
Total amount of fish onboard (t)	unk	
If fish onboard where caught?	admitted fishing here at this place	
If fish onboard when caught?	lines were in water when boarded	
If fish onboard how caught?	long lines	
Destination	unk	
Next port of call	unk	
ETA	unk	(DD/MM/YY)
<u>Comments:</u>		

8. VESSEL INSPECTION

Fishing gear type		long lines	
<u>Comments</u>			
Catch onboard (estimated/reported t)		unk	
IOTC species onboard (Y/N)	unk	Endangered species onboard (Y/N)	unk
Description of catch	Large and small sharks. Snappers. Trevally.		
<u>Comments</u>			
Photographic Evidence Collected (See Annex 1).	Gear	19	
	Catch		
	Hold	8	
	Other		

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	unk	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	Yes	X
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	Yes	X
Section 7 (1). Is the vessel fishing without a license?	Yes	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	No	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	No	
Other:		
<u>Comments</u>		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	No	X
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	n/a as not an AFV	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	n/a as not an AFV	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	n/a as not an AFV	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	No	X

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Yes	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Yes	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	No	X
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Yes	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Yes	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Yes	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Yes	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	unk	
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	No	X
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	No	X
15/03 1: Does the vessel have VMS on board?	unk	
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	unk	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	unk	
15/03 9. Is the VMS not working due to technical failure?	unk	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (12/12 binding on Pakistan)	unk	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	unk	

IOTC Resolution	Yes/No	Non-Compliant (X)
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	unk	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	(no official logbook and not recording anything) No	X
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	(no official logbook and not recording anything) No	X
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	unk	
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	unk	
17/05 5. Have shark fins been removed from the carcass?	unk	
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	unk	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	No	X
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	X
Master given verbal warning and released	X
No further action, vessel released	
<u>Comments:</u> .	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	13:30	(HH:MM)
Time RHIB recovered to the BPV	13:41	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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)			n/a
Version of IOTC database referenced:			MRAG/IOTC
Vessel previously boarded (Y/N)	Y	Inspection report ID	009AJK 28/09/2022
Master previously boarded (Y/N)	Y	Inspection report ID	009AJK 28/09/2022
Owner previously boarded (Y/N)	Y	Inspection report ID	009AJK 28/09/2022
Crew previously boarded (Y/N)	unk	Inspection report ID	
<u>Comments:</u>			

S.Billington and H. Smart did boarding.

C Jones wrote it up.

25/03/2023

BIOT Senior Fisheries Protection Officer

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number of photos
Prior to Boarding		Portside	3
		Starboard side	5
		Vessel name and identification	7
		Bow	1
		Stern	2
		Evidence of fishing	2
		FV with BPV	
		Other	
Wheel house		Radar	
		GPS	1
		SFPO GPS	
		Radio equipment	
		VMS	
		Plotter	
Documents		License	1
		Logbook	
		Boat departure form	
		Insurance	
		Other documents	Reg Cert on phone. 1
Crew identification		Captain photos	1
		Crew member photo	2
		Captain identification	1
		Crew identification	
Fishing activity	Fishing equipment	Nets	2
		Longline	2
		Wire trace	
		Hand line	
		Harpoon	
		Pots / traps / cages	
		Marker buoys	2
		Fishing equipment in water	
		Other	
	Evidence of fishing	Blood on deck	
		Catch in water	
		Catch released alive	
		Hauling	
		Position Gear (start)	
		Position Gear (end)	
	Holds and catch storage	Hold lid on	1
		Hold lid off	
		Catch in hold	8
		Bridge deckhead	
		Catch on deck	
Security seals			
Other (list)			

IOTC Resolutions References:

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence.

See.....

Annex I Record once per trip (unless gear configuration changes)

Annex II Record once per set/shot/operation

Annex III Specifications for handline and trolling

Resolution 15/03 On the vessel monitoring system (VMS) programme.

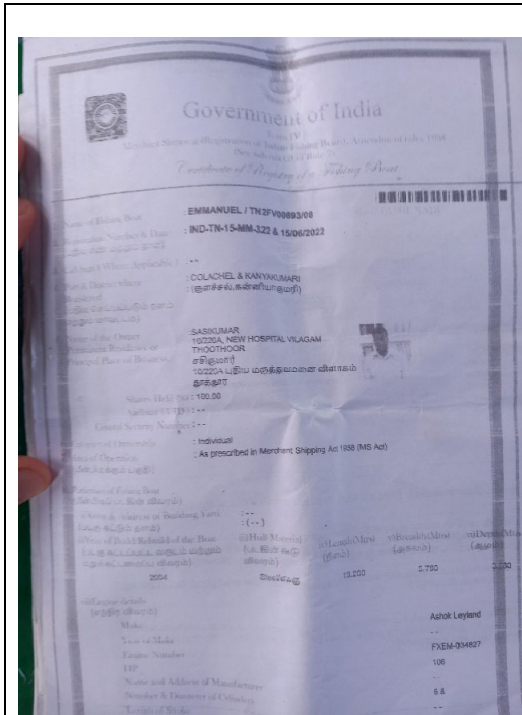
See Paras 8 a) and 8 b)

8. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

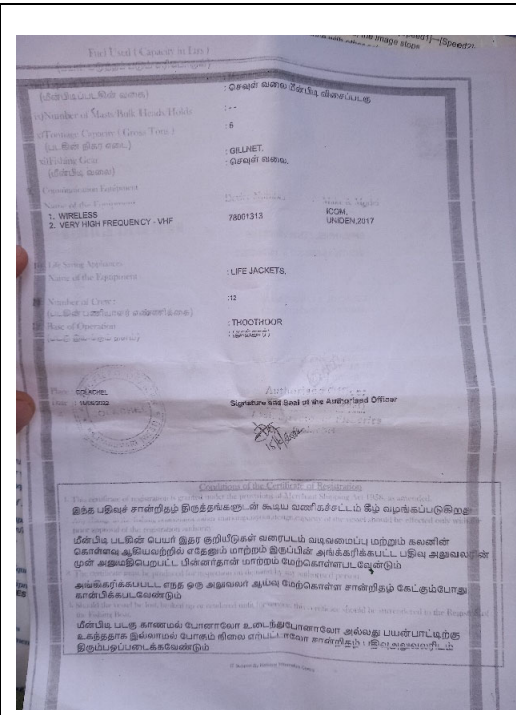
a) be located within a sealed unit; and

b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

See Annex I Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.



[Fig.4] Certificate of Registry of a Fishing Boat 1/2



[Fig.5] Certificate of Registry of a Fishing Boat 2/2



[Fig.6] Starboard



[Fig.7] Starboard ID



[Fig.8] Vessel name. spelt differently.



[Fig.9] Port side and vessel name



[Fig.10] Port and reg nos. Fishing gear unstowed on fore deck.



[Fig.11] Stern



[Fig 12] Stern



[Fig. 13] Hauling line unstowed, ready for use.



[Fig. 14] Mini dan buoy and long-line



[Fig. 15] Mini dan buoys float-line and hand lines in use.



[Fig. 16] Wire trace



[Fig. 17] Racked snood lines attached to main haul line



[Fig. 18] Newly recovered floats.



[Fig. 19] Hand line and buoy light.



[Fig. 20] Net ready for use.



[Fig. 21] Wire-trace and hooks



[Fig. 22] Wire trace with hooks attached



[Fig. 23] Hooks in the process of being attached to wire trace.



[Fig. 24] Giant Trevally - *Caranx ignobilis*



[Fig. 25] Fish in ice hold



[Fig. 26] Small sharks quickly thrown in hold.



[Fig. 27] Large tail. Marlin?



[Fig. 28] Large shark tail. Thresher?



British Indian Ocean Territory Administration
Foreign, Commonwealth and Development Office
London SW1A 2AH

Dr Paul DeBruyn
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

24 February 2024

cc. Dr Indra Jaya, Chair of the Compliance Committee; Mr Zahor El Kharousy, Vice Chair CoC ;
Mr Susantha Kahawatta, and Ms Kalyani Hewapathirana, DFAR, Sri Lanka

Dear Dr De Bruyn,

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 IMULA2352MTR (Senudi 1).

As required in paragraphs 5 and 6 of Resolution 18/03 a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting: Presumed IUU fishing activity in BIOT waters; Presumed fishing contrary to Sri Lankan fisheries law and to IOTC Conservation Management Measures for the Sri Lankan flagged vessel IMULA2352MTR (Senudi 1) has already been submitted. Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities on 24 January 2024.

The attached evidence shows that:

- On the 23 January 2024, the Senior Fisheries Protection Officer boarded and inspected the vessel IMULA2352MTR (Senudi 1).
- The vessel was not on the IOTC Record of Authorised Vessels at the time of inspection.
- The vessel captain admitted to fishing in BIOT waters and had lines in the water at the time of inspection., targeting tuna. In all it was estimated that there was around two tonnes of yellowfin tuna onboard.
- The vessel did not appear to have a VMS on board.
- On 22 February 2024 Sri Lanka provided a communication noting that a court case had been initiated and the vessel captain had pleaded guilty. However the case is ongoing.

We submit this vessel to IOTC Compliance Committee with recommendation **b) 'Notification of illegal activity to IOTC Secretariat. Recommendation notification of activity to flag State'**, noting that the case is currently ongoing. We request that Sri Lanka provides supporting evidence of any actions taken by the 15 day deadline prior to Compliance Committee so that it may be reviewed by the Committee.

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

Thank you.

Yours sincerely

Mr J. Moir Clark

UK Delegation to IOTC
Supporting evidence: IOTC Reporting form for Illegal Activity, IMULA2352MTR (Senudi 1)
including supporting photographs.

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 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)	SENUDI 1 IMULA2352MTR
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
f	Call Sign (previous call sign, if any)	
g	Owner (previous Owner/s, if any)	K.H.PADMASIRI
h	Operator (previous Operator/s, if any) and Master/Fishing Master	N/A and MAGEGA PUSHPAKUMARA
i	Date of alleged IUU fishing activities	23/01/2024
j	Position of alleged IUU fishing activities	4°25.7 S 69°05.2 E
k	Summary of alleged IUU activities (see section B for more detail)	(a) and (h)
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	

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, 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	



Item	Definition	Indicate
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	X



C. Associated Documents

Inspection Report. Titled: MB009_SENUDI_20240123_InspectionReport

Photographic Evidence. Titled: MB006_MB009_SENUDI_20240123_PhotographicEvidence

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

1. SUMMARY

Date of boarding	23/01/2024
Patrol type and number	FIPA151
Vessel name	SENUDI 1
Vessel type	Longliner
Vessel flag and port of reg.	Sri Lanka – Dondra
Vessel Registration No.	IMULA2352MTR
IOTC# (if registered)	
Vessel Captain's name	MAGEGA PUSHPAKUMARA
SFPO	Marion BOURASSEAU
BPV crew assisting	Kevin DUTHIE

Action Taken:

FV spotted at 2:59 by OoW, with a speed of 5.6 knots. The FV stopped close to a marker buoy visible on the AIS. At 6:30 the FV started steaming away from the marker buoy when the BPV became visible with day light. It stopped again when the BPV came close and wait for the inspection. The FV was boarded at 7:51 and the crew and master were compliant. The master admitted being fishing in the area since two days and having 1200 hooks on longlines in the water to catch tuna. When requested by the SFPO, the crew and master of FV hauled the line and released living fish coming onboard. The catch onboard was essentially composed by yellowfin tuna, some dried mahi mahi, dried shark fins. The master was given a verbal warning, instructed by SFPO to collect all its gear and leave the area.

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

Date and time of first sighting	23/01/2024 2:58	(DD/MM/YY HH:MM)		
Sighted by: <i>(insert name)</i>	Lukas KISIELEWSKI	Radar	X	Visual
Position of target	4°25.7 S 69°05.2 E			
Course	171			
Speed	5.6			
Range	14			

Bearing	183		
<u>Comments:</u> Stopped close to a marker buoy visible on the AIS			
Pennant and SQ 3 Raised	23/01/24 7:16	(DD/MM/YY HH:MM)	
Vessel called on VHF CH16 and MF 2182.0	23/01/24 7:35	(DD/MM/YY HH:MM)	
Target requested to stop and prepare for boarding	23/01/24 5:49	(DD/MM/YY HH:MM)	
Response to request for boarding	<i>Compliant</i>		

3. LAUNCHING OF RHIB

Time RHIB launched	23/01/24 7:45 (DD/MM/YY HH:MM)		
RHIB Crew (<i>names</i>)	Donald MACFARLANE, Kevin DUTHIE, Jacek SOBIEK		
<u>Comments on the approach to the FV:</u>			
Photographic Evidence Collected (See Annex 1).	Port	Y / 2	
	Starboard	Y / 2	
	Stern	Y / 2	
	Fishing gear	Y / 4	
	Other		

4. BOARDING DETAILS

Date and time vessel boarded	23/01/24 7:51 (DD/MM/YY HH:MM)		
Position vessel boarded	4°24.988 S 69°08.288 E		
BPV crew assisting	Kevin DUTHIE		
Language spoken	English		
Language Cards used Y/N	N	Numbers used	

5. CREW DETAILS

Captain's name	MAGEGA PUSHPAKUMARA	
Captain's nationality	Sri Lankan	
Captain's address	Anula Niwasa, Light House Road, Devinuwara	
Captain's D.o.B	09/12/1983	(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		
N		
Do any crew have health issues (Y/N), if 'Y' provide details below.		
Health issue details: N		
Photographic Evidence Collected (See Annex 1).	Captain ID	Y / 2
	Other crew ID	Y / 2
	Other	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	SENUDI 1
International Callsign	
Flag State	SRI LANKA
Authorisation to Fish/Fishing Licence No.	23EEZIMUL23275MTR
Valid from / to (dd/mm/yyyy)	09/06/2023 / 08/06/2024
Port of Registration	DONDRA
Registration Number	IMULA2352MTR

FV owner name and details (as per licence)		K.H.PADMASIRI	
Fishing logbook No.		LB-22 2135	
Issuing Authority		Department of Fisheries and Aquatic Resources	
Date of last entry (dd/mm/yyyy)		09/06/2023	
Position of last entry			
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.		Y, Dondra 29/12/2023	
Insurance documentation (Y/N)		Y	
Names and addresses of owners	Mr. K H Padmasiri No 97 Tangalle Road, Devinuwara		
Overall length (ft/m)	47.34 ft / 14.43 m	Engine Power (KW/hp)	170 hp
Other paperwork:			
Photographic Evidence Collected (See Annex 1).	Licence	Y / 2	
	Logbook	Y / 2	
	Boat Departure/Exit	Y / 2	
	Other		

7. INTERVIEW WITH CAPTAIN

Time of interview	8:09	(HH:MM)
Travelling to or from fishing grounds?	No	
Port and date of departure	DONDRA 29/12/2024	
Total amount of fish onboard (t)	2t	
If fish onboard where caught?	In different locations outside of BIOT	
If fish onboard when caught?	During the last 3 weeks	
If fish onboard how caught?	Longline	
Destination	DONDRA	
Next port of call		
ETA	15/02/24	(DD/MM/YY)
<u>Comments:</u> Not a formal interview. Captain declares having 50 pieces of yellow fin tuna (YFT) on board, of a weight of 35 to 50 kg each. Captain declares not having any other catch, neither other fish nor sharks. Captain admits having all the gear in the water, composed by 1200 hooks on nylon line with squid-shaped lures, 12 markers buoys deployed along the longline, all positioned inside of BIOT.		

8. VESSEL INSPECTION

Fishing gear type	Longline
<u>Comments</u> One main longline with squid-shaped lures on snoods of 20m each. No wire trace.	
Catch onboard (estimated/reported t)	2t of YFT

IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	Y
Description of catch	YFT in ice in the hold, slices of dried YFT, pectoral fins from at least 4 sharks, 2 dried mahi mahi (DOL)		
<u>Comments</u>			
Shark fins possibly from blue shark, mako or thresher.			
Photographic Evidence Collected (See Annex 1).	Gear	Y / 5	
	Catch	Y / 5	
	Hold	Y / 4	
	Other		

9. BIOT ORDINANCE NON-COMPLIANCE (use comments to expand where necessary)

Ordinance Section	Yes/No	Non-Compliant (X)
Section 5 (1(c)). Are there any sea cucumbers or molluscs on board?	N	
Section 6 (1(a)). Is the vessel fishing using prohibited fishing gear?	N	
Section 6 (2). Is the vessel in possession of prohibited fishing gear?	N	
Section 7 (1). Is the vessel fishing without a license?	Y	X
Section 9 (1). Is all fishing gear stowed and not readily available for use for fishing?	N	X
Section 16. Has the Fisheries Protection Officer been obstructed in his/her duties by person(s) on the vessel or has that person(s) refused or neglected to comply with any order, direction or requirement given by a Fisheries Protection officer?	N	
Other:		
<u>Comments</u>		

10. IOTC CMM NON-COMPLIANCE (use comments to expand where necessary)

Note: AFV (Authorised Fishing Vessel-licenced to operate in the IOTC area of competence)

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 2. Is the vessel authorised to fish in the IOTC area of competence?	N	X

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 11. c) For AFVs, are valid certificates of vessel registration and valid authorisation to fish/tranship present on board?	N/A	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	N/A	
19/04 11. e) Is the AFV engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence?	N/A	
19/04 17. a) (i). Does the fishing vessel carry a licence, permit or authorisation to fish with terms and conditions attached?	Y	
19/04 17. a) (ii). Does the vessel carry documents with the vessel name?	Y	
19/04 17. a) (iii) Does the vessel carry documents of Port of Registration and registered number?	Y	
19/04 17. a) (iv) Does the vessel carry documents detailing its International callsign?	N	
19/04 17. a) (v) Does the vessel carry documents with names and addresses of owner(s) or charterer?	Y	
19/04 17. a) (vi) Does the vessel carry documents detailing overall length?	Y	
19/04 17. a) (vii) Does the vessel carry documents detailing engine power, in KW/horsepower?	Y	
19/04 18. Is the vessel readily identified with markings indicating vessel name and/or callsign? (see FOA Standard Specification for the Marking and Identification of Fishing vessels).	Y	
19/04 19. b) Are marker buoys and similar floats marked with the letter(s) and/or number(s) of the vessel (e.g. name or callsign)?	N	X

IOTC Resolution	Yes/No	Non-Compliant (X)
19/04 20. Does the vessel keep a bound fishing national logbook with consecutively numbered pages on board?	Y	
15/01 3. Does the logbook record data that meets the minimum requirement for data and information set out in Annex I, II and III.	N	X
15/03 1: Does the vessel have VMS on board?	N	X
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	N/A	
15/03 8. and 9. (see Annex 1) Is the VMS tamper resistant (not capable of being over-ridden – see 15/03 Paras 8 a) and b))	N/A	
15/03 9. Is the VMS not working due to technical failure?	N/A	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (<i>12/12 binding on Pakistan</i>)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	Y	
19/03 3. Has the vessel retained onboard, transhipped, landed or stored any part or whole carcass of mobulid rays (Manta and devil rays)?	Unk.	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	N	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	Unk.	
17/05 2. and 3 a) For sharks fresh (on ice) has the vessel retained all parts of the shark except heads, guts and skins, with the exception of species prohibited by IOTC?	N	X
17/05 2 and 3 b) For sharks frozen, has the vessel retained for all sharks, fins amounting to >5% of the weight of sharks on board?	Unk.	

IOTC Resolution	Yes/No	Non-Compliant (X)
17/05 5. Have shark fins been removed from the carcass?	Y	X
12/09 2. Are there any parts or whole carcass of thresher sharks on board?	Unk.	
19/04 11. b) Does the AFV comply with all relevant IOTC CMMs?	N/A	
<u>Comments</u>		

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed	X
Master given verbal warning and released	X
No further action, vessel released	
<u>Comments:</u>	
Instructed to collect all gear and leave the area	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	9:31	(HH:MM)
Time RHIB recovered to the BPV	9:45	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	N	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:			12/01/2024
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)	Unk.	Inspection report ID	
<u>Comments:</u>			

Marion BOURASSEAU

23/01/2024

BIOT Senior Fisheries Protection Officer



[Fig.1] FV with BPV



[Fig.2] Stern



[Fig.3] Starboardside



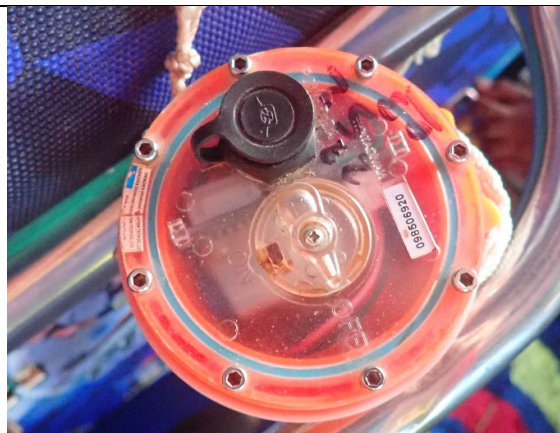
[Fig.4] Bow



[Fig.7].GPS with AIS tracker and position of the gear



[Fig.8].GPS with list of the AIS marker buoys in the water



[Fig.9] Fishing gear : AIS marker buoy retrieved on the first longline hauled



[Fig.10] Fishing gear: hooks and lures



[Fig.11] Catch released alive



[Fig.12] Hold



[Fig.13] Catch: dried yellow fin tuna



[Fig.13] Catch: dried shark fins