



MODIFICATION DES DETAILS SUR DES NAVIRES FIGURANT DANS LA LISTE DES NAVIRES INN ET LA LISTE DES NAVIRES POUR INSCRIPTION CROISEE

Préparé par le Secrétariat de la CTOI, 25 avril 2024

OBJECTIF

Transmettre les informations et les éléments de preuve reçus par le Secrétariat de la CTOI au Comité d'Application pour l'aider dans sa prise de décision sur :

- l'actualisation des informations détaillées sur un navire inclus dans la Liste des navires INN.

CONTEXTE

Conformément au Paragraphe 30 de la Résolution CTOI 18/03 *Visant à l'établissement d'une liste de navires présumés avoir exercé la pêche illicite, non déclarée et non réglementée dans la zone de compétence de la CTOI* :

Toute CPC détenant des informations nouvelles ou modifiées sur des navires figurant sur la Liste des navires INN en relation avec les informations mentionnées aux paragraphes 1 à 8 de l'annexe II transmettra ces informations dans les meilleurs délais au Secrétaire exécutif de la CTOI. Le Secrétaire exécutif de la CTOI communiquera ces informations à toutes les CPC et :

- a) lorsque les informations indiquent que des détails incorrects ont été inclus au moment où le navire a été ajouté à la Liste des navires INN, renverra la question à la Commission pour examen, conformément au paragraphe 18.b) ;
- b) lorsque les informations indiquent une modification des détails depuis que le navire a été ajouté à la Liste des navires INN, cherchera à vérifier les informations en faisant référence à d'autres informations et, après vérification, mettra à jour les détails pertinents dans la Liste des navires INN et la publiera, conformément au paragraphe 29. Si le Secrétariat, après des efforts raisonnables, n'est pas en mesure de vérifier les informations soumises par la CPC, la Liste des navires INN ne sera pas mise à jour.

INFORMATIONS COMMUNIQUEES AU SECRETARIAT DE LA CTOI

Des informations et des éléments de preuve ont été reçus en ce qui concerne le navire battant le pavillon de l'Inde, AVEMARIYA, qui avait été inclus dans la Liste des navires INN de la CTOI en mai 2022. Ils sont présentés en **Pièce jointe 1**. En plus de fournir des informations et des preuves sur les infractions commises par le navire après son inclusion dans la Liste des navires INN de la CTOI, le courrier du Royaume-Uni et les documents associés fournissent de nouvelles informations sur le nom et l'adresse du propriétaire/opérateur du navire, son numéro d'immatriculation et sa longueur hors-tout, attributs qui étaient jusqu'à présent inconnus.

La Circulaire CTOI 2023-57 (**Pièce jointe 2**) et la Circulaire CTOI 2023-59 (**Pièce jointe 3**) fournissaient des informations supplémentaires sur des mises à jour de la Liste des navires INN de la CTOI qui ont été annoncées mais qui n'ont malheureusement pas été effectuées. Étant donné qu'aucune objection n'a été présentée aux mises à jour annoncées à travers les deux Circulaires susmentionnées, ces actualisations seront reflétées dans la Liste des navires INN de la CTOI que la Commission est tenue d'examiner à sa Session annuelle.

RECOMMANDATION/S

Que le CdA21 :

- 1) **PRENNE NOTE** des informations soumises dans le document IOTC-2024-CoC21-07a, qui l'aideront dans ses délibérations à l'égard de la mise à jour des informations concernant le navire AVEMARIYA inclus dans la Liste des navires INN.
- 2) **NOTE** que le navire AVEMARIYA a pêché à plusieurs reprises d'une manière portant atteinte aux mesures adoptées par la Commission, même après avoir été inclus dans la Liste des navires INN de la CTOI.
- 3) **NOTE** que l'Inde n'a pas exercé de contrôle efficace en qualité d'État du pavillon sur ce navire malgré ses affirmations lors du CdA19 et de la S26 en 2022 et les demandes formulées par le CdA20 en 2023.

- 4) **PRENNE NOTE** des mises à jour qui seront apportées à la Liste des navires INN de la CTOI, en se fondant sur les annonces faites dans les Circulaires CTOI 2023-57 et 2023-59.
- 5) **DÉTERMINE** s'il convient de changer le nom et l'adresse du propriétaire/opérateur du navire, son numéro d'immatriculation et sa longueur hors-tout de « INCONNU » à : « Jerin Charles B/O Bosco of 111-9-149B, Jothi Illam, Thoothoor Inde ; IND-TN-15-MM-9070 et 20,90 m », respectivement.
- 6) Formule une **RECOMMANDATION** pour examen à la Vingt-huitième Session de la Commission.

Pièce jointe 1

Note: ce qui suit est la traduction d'un document en anglais reçu par le Secrétariat. Pour plus de détails, se reporter à l'original.



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

Dr Paul DeBruyn
Secrétaire exécutif
Commission des Thons de l'Océan Indien
Mahe
Seychelles

24 février 2024

cc. Dr Indra Jaya, Président du Comité d'Application ; M. Zahor El Kharousy, Vice-président du CdA
Dr S. Pandey ; M. J. Balaji, Ministère des pêches, Gouvernement de l'Inde

Cher Dr DeBruyn,

Résolution 18/03 Visant à l'établissement d'une liste de navires présumés avoir exercé la pêche INN dans la zone de compétence de la CTOI : Navire sous pavillon indien IND-TN-15-MM-9070 (AVEMARIYA)

Tel que requis aux paragraphes 5 et 6 de la Résolution 18/03, un Formulaire CTOI de déclaration d'activité illicite complété a déjà été soumis avec les preuves à l'appui : activité de pêche INN dans les eaux du TBOI ; pêche contraire aux Mesures de Conservation et de Gestion de la CTOI par le navire sous pavillon indien IND-TN-15-MM-9070 (AVEMARIYA).

Ce navire a été inclus dans la Liste des navires INN de la CTOI en mai 2022.

Les preuves jointes montrent que :

- Le navire ne figurait pas dans le Registre CTOI des navires autorisés actuel et n'était pas autorisé à pêcher.
- Le navire n'avait pas soumis de rapport de transit avant d'entrer dans la FCMZ et ne disposait pas de SSN à bord.
- Le navire a été arraisonné et inspecté le 30 novembre 2023 et le 5 décembre 2023. Le navire pêchait illégalement dans les eaux du TBOI sans licence. Le navire est un grave contrevenant récidiviste et a été immobilisé au port à partir du 5 décembre.
- Les espèces identifiées d'après l'inspection des cales incluaient des espèces gérées par la CTOI : 50 thons.
Le capitaine du navire a été jugé au Tribunal de première instance de Diego Garcia le 7 décembre 2023 et a été reconnu coupable de pêche sans licence, en violation de la section 7(2)(a) de l'Ordonnance (de Conservation et de Gestion) des pêches de 2007.
- Une amende de 60 000£ a été imposée au capitaine et le navire a été saisi sous réserve de la réception de l'amende. Le capitaine et l'équipage ont été rapatriés en Inde.
- L'amende reste impayée à ce jour et le navire reste placé sous séquestre à Diego Garcia.

Ce navire est déjà inscrit dans la Liste INN. Étant donné que l'amende reste impayée et qu'il semble improbable qu'elle soit réglée, le navire sera probablement détruit. Toutefois, en attendant, nous soumettons ce navire au Comité d'Application de la CTOI avec la recommandation **b) « Notification au Secrétariat de la CTOI. Notification recommandée à l'État du pavillon. »** Nous sommes pleinement conscients qu'en vertu du paragraphe 30 de la Résolution 18/03 nous devons informer le Secrétariat de tout changement des détails du navire afin de pouvoir le supprimer de la liste.

Néanmoins, nous souhaiterions signaler ce cas au Comité d'Application. Il démontre, de la part de l'Inde, un flagrant mépris des Mesures de Conservation et de Gestion de la CTOI et son incapacité à mettre en

œuvre les contrôles de l'État du pavillon. Jusqu'à présent, l'Inde n'a pas fourni les preuves des mesures prises à l'encontre de ce navire inscrit dans la liste INN. L'Inde n'a pas saisi ce navire à la suite de son inclusion dans la liste INN et il a continué à pêcher de façon illicite dans les eaux relevant de la CTOI.

Il est clair que l'Inde est dans l'incapacité de mettre en œuvre ses contrôles en qualité d'État du pavillon et ne fournit aucune preuve d'être en mesure de prendre des mesures efficaces en réponse à des activités de pêche INN, notamment des poursuites judiciaires et l'imposition de sanctions d'une sévérité adéquate de sorte qu'elles soient efficaces pour garantir l'application et décourager de nouvelles infractions. Nous demandons à l'Inde de fournir une explication détaillée quant à savoir comment le navire IND-TN-15-MM-9070 (AVEMARIYA) a pu encore pêcher malgré son inscription INN.

Nous rappelons le paragraphe 159 de la 20^{ème} Réunion du Comité d'Application :

« 159. Le CdA20 A DEMANDÉ à l'Inde :

- a. de collaborer avec le Royaume-Uni pour lutter contre la pêche INN pratiquée par les navires battant son pavillon, et de communiquer les détails des mesures prises au CdA21 ;
- b. notant l'affirmation verbale de l'Inde au CdA19 et à la S26 en 2022 de son intention de renforcer la capacité de contrôle de l'Inde, de fournir des preuves au CdA21 sur les mesures prises ;
- c. en l'absence de contrôles adéquats à ce jour, que parmi les mesures prises par l'Inde à l'encontre des navires qui lui ont été signalés pour activités INN, elle installe un VMS sur ces navires et fournisse un plan d'installation du VMS au Comité d'application dans les six mois suivant le CdA20, ainsi qu'un rapport d'avancement au CdA21; et
- d. de mettre en œuvre un programme éducatif à l'intention des pêcheurs du Tamil Nadu et de présenter un rapport sur les résultats au CdA21. »

En l'absence de réponse au RU en ce qui concerne ce navire ou tout autre navire, nous attendons avec impatience la réception d'informations sur les éléments ci-dessus. Nous proposons également que le Comité d'Application réitère cette demande pour la prochaine période intersessions, la déclaration en 2025 au CdA22.

Je vous serais reconnaissant de bien vouloir diffuser ce document pour information et examen du Comité d'Application. Je vous remercie.

Cordialement,



M. J. Moir Clark

Délégation du Royaume-Uni auprès de la CTOI

Preuves à l'appui : Formulaire CTOI de déclaration d'activité illicite: IND-TN-15-MM-9070 (AVEMARIYA)

1. SUMMARY

Date of boarding	25/01/2023
Patrol type and number	FIPA135
Vessel name	Ave Mariya
Vessel type	Longline/Gillnet (registered as Gillnetter)
Vessel flag and port of reg.	India, Colachel
Vessel Registration No.	IND-TN-15-MM-9070
IOTC# (if registered)	not registered
Vessel Captain's name	Jerin Charles S/O Bosco
SFPO	Caradoc Jones
BPV crew assisting	

Action Taken: This is the third inspection of this vessel. The same skipper/owner has been on board for the latest inspections. Not very forthcoming with documentation. This vessel has been fishing around the GCB for at least one week. The onboard informal diary recording dates, positions, conditions and catches corroborate this along with discussion with the Captain plus gear locations marked on the GPS plotter - see Fig. 4. The vessel is already on the IOTC IUU list but with very few details - those are provided from this inspection (ownership etc). The vessel is using wire trace as was volunteered by the captain. It is made on board - see Fig 8 in accompanying photographic evidence. Fresh catch on board as well as iced catch in the iced holds. Swordfish (*Xiphias gladius*) amongst the catch. Given verbal warning not to fish and to leave the FCMZ. The two previous inspections and reports were:

- 1) 'Inspection_Report_CJ005_T6_24_AVE_MARIYA_07_03_2022. Also obstructive in terms of providing documentation on that occasion as well. Same skipper / owner.
- 2) Inspection_Report_RD008_AVEMARIYA_20042021.

Photographic evidence from previous reports matched the vessel.

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

Date and time of first sighting	25/01/2023 05:30 (DD/MM/YY HH:MM)		
Sighted by: (<i>insert name</i>)	David Lang	Radar or Visual	Both
Position of target	-5.7700 72.2500		
Course° degs.	44		
Speed kts.	01.40		
Range nm	08.00		
Bearing° degs.	331		
<u>Comments:</u> One of four FVs sighted in the vicinity during early morning.			
Fisheries Pennant and Sierra Quebec 3 Raised	25/01/2023 12:42 (DD/MM/YY HH:MM)		
Vessel called on VHF CH16 and MF 2182.0	25/01/2023 12:58 (DD/MM/YY HH:MM)		
Target requested to stop and prepare for boarding	25/01/2023 12:58 (DD/MM/YY HH:MM)		
Response to request for boarding	Vessel hove to		

3. LAUNCHING OF RHIB

Time RHIB launched	25/01/2023 12:42 (DD/MM/YY HH:MM)		
RHIB Crew (<i>names</i>)	Gerald Harvey, Jerzey Szostek		
<u>Comments on the approach to the FV:</u> Other vessels in the area began to move away. It was decided to focus on this vessel because it was known to have both been in the area for some time and had also been inspected in the past.			
Photographic Evidence Collected (See Annex 1).	Port	7	
	Starboard	4	
	Stern	3	
	Fishing gear	16	
	Other	56	

4. BOARDING DETAILS

Date and time vessel boarded	25/01/2023 13:25	(DD/MM/YY HH:MM)	
Position vessel boarded	-5.8307 72.1634		
BPV crew assisting			
Language spoken	English (good)		
Language Cards used Y/N	Y	Numbers used	17,18,20

5. CREW DETAILS

Captain's name	Jerin Charles S/O Bosco		
Captain's nationality	Indian		
Captain's address	111-9-149B, JOTHI ILLAM, THOOTHOR		
Captain's D.o.B	27/07/1972	(DD/MM/YY)	
Number of crew (inc. Captain)	8		
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
<u>Health issue details:</u>			
Photographic Evidence Collected (See Annex 1).	Captain ID	2	
	Other crew ID	1	
	Other		

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Ave Mariya
International Callsign	none
Flag State	India
Authorisation to Fish/Fishing Licence No.	No documents
Valid from / to (dd/mm/yyyy)	n/a
Port of Registration	Colachel
Registration Number	IND-TN-15-MM-9070
FV owner name and details (as per licence)	Jerin Charles S/O Bosco
Fishing logbook No.	No official Logbook. Unofficial diary.
Issuing Authority	n/a

InspectionReport_CJ053_IND TN15MM9070_25_01_2023

Date of last entry (dd/mm/yyyy)	15/01/2023		
Position of last entry	5° 58' S 72° 04'E 10/01/2023 with catch and conditions.		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	N		
Insurance documentation (Y/N)	Y. Current but not valid beyond 50nm of Indian Coast.		
Names and addresses of owners	Jerin Charles S/O Bosco, 111-9-149B, JOTHI ILLAM, THOOTHOR		
Overall length (m)	20.90	Engine Power (hp)	180.0
Other paperwork:	Informal diary with positions, conditions & catch.		
Photographic Evidence Collected (See Annex 1).	Licence		no licence
	Logbook		no logbook
	Boat Departure/Exit		no forms
	Other		2, Cert of Reg. 3, Insurance. 5, diary.

7. INTERVIEW WITH CAPTAIN

Time of interview (discussion)	14:05 (not a formal interview)	(HH:MM)
Travelling to or from fishing grounds?	No. Fishing here in the BIOT FCMZ.	
Port and date of departure	Cochin 28/12/2022	
Total amount of fish onboard (t)	Unknown	
If fish onboard where caught?	In this area. GCB.	
If fish onboard when caught?	Since 07/01/2023	
If fish onboard how caught?	Longline. (but handline also recorded in diary for catch 14/01/2023)	
Destination	Cochin	
Next port of call	Cochin	
ETA	unk	(DD/MM/YY)
<u>Comments:</u> Not forthcoming with additional documentation. Fishing using longline with wire trace. Reported by Captain as not using gill nets (though noted as unstowed) because they snag. They were monitoring the BPV VHF channel 74 on their radio, their working frequency is channel 65.		

8. VESSEL INSPECTION

Fishing gear type		Longlines, nets, handlines. Wire Trace present.	
<u>Comments</u> Nets unstowed, Dan-buoys in deployment stance, snoods ready for attachment, wire trace being made aboard.			
Catch onboard (estimated/reported t)		2.200	
IOTC species onboard (Y/N)	Yes (SWO)	Endangered species onboard (Y/N)	Unk
Description of catch	Swordfish, shark spp., ray sp., red snapper, groupers and emperors .		
<u>Comments</u> Fresh catch in hold in addition to frozen catch.			
Photographic Evidence Collected (See Annex 1).	Gear	16	
	Catch	16	
	Hold	16	
	Other	11 (fresh catch in hold), 2 wire-trace.	

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 (verbal admission (Captain) and gear positions shown on plotter)	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?	Yes (captain only prepared to show limited documents)	X
Other:		
<u>Comments</u> Two other previous inspections in BIOT.		

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?	Not an AFV	
19/04 11. d) Is the AFV engaged in or associated with IUU fishing?	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?	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?	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

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?	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)	No	
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)?	Unk	
18/02 2. Has the vessel recorded catches of blue shark in accordance with Resolution 15/01?	NA	
18/05 7. Has the vessel recorded catches of Striped Marlin, Black Marlin, Blue Marlin and Sailfish in accordance with Resolution 15/01?	NA	
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 (stated as whole & ungutted, and small fresh catch was)	
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?	Yes (stated as whole & ungutted, frozen catch not checked in detail)	
17/05 5. Have shark fins been removed from the carcass?	No (no fin removal seen)	
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> .	
Swordfish was photographed and recorded in the catch - IOTC species.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	15:45	(HH:MM)
Time RHIB recovered to the BPV	16:00	(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)		N	
Version of IOTC database referenced:		MRAG update	
Vessel previously boarded (Y/N)	Y	Inspection report ID	'Inspection_Report_CJ005_T6_24_AVE_MARIYA_07_03_2022_v2'. AND Inspection_Report_RD008_AVEMARIYA_20042021
Master previously boarded (Y/N)	Y	Inspection report ID	Inspection_Report_CJ005_T6_24_AVE_MARIYA_07_03_2022_v2'.
Owner previously boarded (Y/N)	Y	Inspection report ID	'Inspection_Report_CJ005_T6_24_AVE_MARIYA_07_03_2022_v2'.
Crew previously boarded (Y/N)	unk	Inspection report ID	
<u>Comments:</u> Same skipper/owner on board for the last inspection on 07/03/2023. Informal diary and plotter record dates, and positions of gear deployments and catch.			

Caradoc Jones

02/02/2023

BIOT Senior Fisheries Protection Officer

ANNEX 1: PHOTOGRAPH LOG

Stage of Boarding / Inspection		Type of Photograph	Number of photos
Prior to Boarding		Portside	7
		Starboard side	4
		Vessel name and identification	5
		Bow	5
		Stern	3
		Evidence of fishing	15 (including informal diary with catch log)
		FV with BPV	2 (with Daughter Craft)
		Other	
Wheel house		Radar	
		GPS	3
		SFPO GPS	
		Radio equipment	1
		VMS	No VMS
		Plotter	2
Documents		License	No licence
		Logbook	No logbook (informal diary with positions & catch-log)
		Boat departure form	No form
		Insurance	4
		Other documents	Informal diary and copy-book.
Crew identification		Captain photos	2
		Crew member photo	3
		Captain identification	2
		Crew identification	1
Fishing activity	Fishing equipment	Nets	3
		Longline	5
		Wire trace	2
		Hand line	
		Harpoon	
		Pots / traps / cages	
		Marker buoys	6
		Fishing equipment in water	
	Other		
	Evidence of fishing	Blood on deck	
		Catch in water	
		Catch released alive	
		Hauling	
		Position Gear (start)	5 pictures of fishing positions in diary
		Position Gear (end)	5 pictures of fishing positions in diary
	Holds and catch storage	Hold lid on	2
		Hold lid off	5
		Catch in hold	16
		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.



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

Sanjay Pandey
AC(Fy); DoF, GoI

2 February 2023

cc: Dr.P.Paul Pandian, Fisheries Development Commissioner, Government of India; Mr. J. Balaji, Ministry of Fisheries, Animal Husbandry and Dairying; Thiru Anitha R. Radhakrishnan, Minister for Fisheries – Fishermen Welfare and Animal Husbandry, Tamil Nadu; Thiru A. Karthik, IAS., Principal Secretary to Government, Fishermen Welfare and Animal Husbandry, Tamil Nadu

E-Mail: sanjay.rpandey@gov.in; pl_pndn@yahoo.com; jsfy@nic.in; animalfishminister@gmail.com; ahsec@tn.gov.in

Dear Dr Pandey

Report on the inspection of the Indian flagged vessel IND-TN-15-MM-9070 (AVE MARIYA) in the waters of the British Indian Ocean Territory (BIOT) and request for assistance.

The Indian flagged vessel IND-TN-15-MM-9070 (AVE MARIYA) was boarded and inspected on suspicion of being involved in illegal activities, namely illegal fishing in BIOT waters on 25 January 2023. The vessel had been fishing in BIOT waters for at least a week and there were fresh fish on board including IOTC managed species Swordfish (*Xiphias gladius*). The vessel was not on the IOTC list of Authorised Fishing Vessels. The vessel had not submitted a transit reporting form to the BIOT Authorities. The vessel was fishing illegally without a licence within BIOT waters, and was instructed to leave BIOT waters immediately.

We note that the vessel is from Tamil Nadu. We would kindly request your assistance to recall the vessel to port immediately and notify the relevant persons in the State and port authorities of the need for an investigation. We would be grateful if you could 1) Conduct a regulatory investigation into the activities of this vessel including any vessel monitoring system (VMS) data; 2) Following your investigation, provide us with an early indication of any legal action against the owner and Master (skippers) of the vessel that you plan to implement through the Indian / State authorities regarding any violation of the fisheries regulations of India. This would include illegal fishing in the waters of a third State, namely BIOT.

This vessel was included on the IOTC IUU Vessels List in May 2022. The vessel registration dates from 30/07/2022 (see Figs 5 and 6 of the Inspection Report) which is after the vessel was included on the IUU Vessels List and thus demonstrates a complete disregard of IOTC Conservation Management Measures and a failure to implement flag State Controls. These details will be reported to the IOTC Compliance Committee.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your cooperation. Please acknowledge receipt of this letter and attachments.

Yours sincerely

Mr Balraj Dhanda
BIOT Administrator and Director of Fisheries

Mr J. Moir Clark
UK Delegation to IOTC

Attached: Inspection Report for: IND-TN-15-MM-9070 (AVE MARIYA)

BIOT INSPECTION REPORT – DT007

1. SUMMARY

Date of boarding	05/12/2023
Patrol type and number	FIPA 148
Vessel name	Ave Mariya
Vessel type	Gillnet
Vessel flag and port of reg.	India, Colachel & Kanyakumari
Vessel Registration No.	IND-TN-15-MM-9070
IOTC# (if registered)	
Vessel Captain's name	Jerin Charles B S/O Bosco
SFPO	Daniel Teixeira
BPV crew assisting	Keith Andrews (Captain), Davy Lang (1 st Officer), David Stockton (2 nd Officer), Jerzy Szostek (Bosun), Gerald Harvey (Crew) and Lee Kelly (Crew), Paul de Groote (Crew)

Action Taken: Fishing gear was detected while the BPV was on fisheries patrol (FIPA) on 04/12/2023 at 08:00hrs LT. The BPV changed its course to arrive at the position early the following day. At 07:17 a visual was made of the FV, pos 7°17.3'S 71°19.4'E, at a speed of 0.8 Kn, course 235°.

After briefing the workboat and boarding crew at 08:00, the workboat was launched at 08:10 and at 08:20 SFPO and crew member Gerald Harvey boarded the Indian fishing vessel, Ave Mariya, which had been previously boarded and inspected on 30/11/2023. During this inspection, evidence of fishing was found and the vessel captain was instructed he could not fish in the BIOT FCMZ and told to leave.

The inspection focused primarily on the violation that was being committed, the hauling of fishing line, which lasted from 08:20 to 09:53. A hold inspection followed, at 09:55 to check and access what had been caught from the previous inspection, on 30/11/2023 (InspectionReport_006_DT_AVE_MARIYA_30112023).

One of the compartments was half full, containing at least 26 sharks of several sizes, reef fishes of various species and IOTC listed species were found to be present (kawakawa). At the wheelhouse, at 10:00, FV captain presented his documents, showed on his GPS the position he had been fishing and signed the position form.

After confirmation from ROPO 1, at 13:28, the SFPO informed the captain of the FV Ave Mariya of their detention and was instructed to follow the BPV back to DG for further investigation.

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

Date and time of first sighting	05/12/2023 07:17		(DD/MM/YY HH:MM)		
Sighted by: (insert name)	OOW Davy Lang	Radar	X	Visual	X
Position of target	7°17.3' S 71°19.4'E				
Course	235°				
Speed	0.8				
Range	8.3				

BIOT INSPECTION REPORT – DT007

Bearing	86°	
<u>Comments:</u>		
Fisheries Pennant and Sierra Quebec 3 Raised	05/12/2023 07:35	(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and MF 2182.0	05/12/2023 07:35	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	05/12/2023 07:35	(DD/MM/YY HH:MM)
Response to request for boarding	<i>No response</i>	

3. LAUNCHING OF RHIB

Time RHIB launched	05/12/2023 08:10 (DD/MM/YY HH:MM)	
RHIB Crew (<i>names</i>)	Daniel Teixeira (SFPO), Gerald Harvey (Crew), Lee Kelly (Crew) and Paul de Groote (Crew).	
<u>Comments on the approach to the FV:</u> DC couldn't perform two turns around FV as it was hauling line at the time of approach. FV identification was done and photographic evidence was taken. 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	1 (Bow)

4. BOARDING DETAILS

Date and time vessel boarded	05/12/2023 08:20		
Position vessel boarded	7°20`935 S 71°18`987 E		
BPV crew assisting	Gerald Harvey		
Language spoken	English		
Language Cards used Y/N	N	Numbers used	

5. CREW DETAILS

Captain's name	Jerin Charles B S/O Bosco		
Captain's nationality	Indian		

BIOT INSPECTION REPORT – DT007

Captain's address	111-9-149B, Jothi Illam, Thoothoor, Vilavancode, Kanniyakumari, Tamil Nadu, 629176	
Captain's D.o.B.	15/02/1973	
Number of crew (inc. Captain)	10	
Nationality of Crew	Indian (according to captain)	
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	1 (group photo)
	Other	0

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	Ave Mariya		
International Callsign	unk		
Flag State	India		
Authorisation to Fish/Fishing Licence No.	Not produced		
Valid from / to (dd/mm/yyyy)	unk		
Port of Registration	Colachel & Kanyakumari		
Registration Number	IND-TN-15-MM-9070		
FV owner name and details (as per licence)	NA		
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.	N		
Insurance documentation (Y/N)	N		
Names and addresses of owners	Jerin Charles B S/O Bosco 111-9-149B, Jothi Illam, Thoothoor, Vilavancode, Kanniyakumari, Tamil Nadu, 629176		
Overall length (ft/m)	20.90	Engine Power (KW/hp)	180
Other paperwork:	N		

BIOT INSPECTION REPORT – DT007

Photographic Evidence Collected (See Annex 1).	Licence	0
	Logbook	0
	Boat Departure/Exit	0
	Other	0

7. INTERVIEW WITH CAPTAIN

Time of interview	05/12/2023 10:00	(HH:MM)
Travelling to or from fishing grounds?	Not traveling	
Port and date of departure	Thengapattinam 10/11/2023	
Total amount of fish onboard (t)	NA	
If fish onboard where caught?	NA	
If fish onboard when caught?	NA	
If fish onboard how caught?	NA	
Destination	Thengapattinam	
Next port of call	Thengapattinam	
ETA	unk	(DD/MM/YY)
<u>Comments:</u> Very short conversation to request documents, chart position confirmation and sign position chart form. Asked to wait while SFPO was back in the BPV waiting for ROPO1 detention confirmation.		

8. VESSEL INSPECTION

Fishing gear type	4 LL, 1 net, 3 sets of buoys		
<u>Comments:</u> not actively fishing			
Catch onboard (estimated/reported t)	500kg estimate		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	N
Description of catch	<p>Species, number, medium size:</p> <p>Wahoo (<i>Acanthocybium solandri</i>), 1, 90cm</p> <p>Dolphinfish (<i>Coryphaena hippurus</i>), 2, 80cm</p> <p>Whitetip reef shark (<i>Triaenodon obesus</i>), 6, 60cm</p> <p>Lunar-tailed grouper (<i>Variola louti</i>), 6, 40cm</p> <p>Saddleback grouper (<i>Plectropomus laevis</i>), 4, 50cm</p> <p>Giant trevally (<i>Caranx ignobilis</i>), 1, 50cm</p> <p>Bridled triggerfish (<i>Sufflamen fraenatum</i>), 1, 30cm</p> <p>Emperor fish (<i>Lethrinus</i> spp), 1, 35cm</p> <p>Kawa kawa (<i>Euthynnus affinis</i>), 25, 30cm</p> <p>Red snapper (<i>Lutjanidae</i> spp), 25, 30cm</p> <p><i>Carcharhinidae</i> spp. sharks – 26, several sizes ranging from 60 cm to 150 cm</p>		

BIOT INSPECTION REPORT – DT007

Total weight estimated 100kg		
<u>Comments:</u> Of the 12 compartments in the hold, 11 were empty, and one was half full, mainly with <i>Carcharhinidae</i> spp. sharks. The remainder, as last week's inspection lay in in the corridor.		
Photographic Evidence Collected (See Annex 1).	Gear	5
	Catch	11
	Hold	4
	Other	0

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> FV Ave Mariya is a repeat offender being caught several times in the recent past. To number a few: 20/04/2021, 25/01/2023 and 07/03/2023 and lastly 30/11/2023. The last time was warned to not return to BIOT and was issued a verbal warning to leave BIOT.		

BIOT INSPECTION REPORT – DT007

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

Note: AFV (Authorised Fishing Vessel-licensed 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

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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.	N	X
15/03 1: Does the vessel have VMS on board?	Y	
15/03 7. and 9. (see Annex 1) Is the VMS fully operational?	N	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))	N	X
15/03 9. Is the VMS not working due to technical failure?	Y	
17/07 4. Does the vessel have large-scale driftnets on board (>2.5km)? (12/12 binding on Pakistan)	N	
12/04 8. a) Does the vessel have line cutters and turtle de-hookers on board	N	
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/A	
<u>Comments</u> No documents presented other than FV Certificate of Registry		

BIOT INSPECTION REPORT – DT007

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	x
Master given verbal warning and released	
No further action, vessel released	
<u>Comments:</u>	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	10:25	(HH:MM)
Time RHIB recovered to the BPV	10:40	(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)			N
Version of IOTC database referenced:			IOTC website
Vessel previously boarded (Y/N)	Y	Inspection report ID	InspectionReport_CJ053_INDTN15MM9070_25_01_2023
Master previously boarded (Y/N)	Y	Inspection report ID	
Owner previously boarded (Y/N)	Y	Inspection report ID	InspectionReport_CJ053_INDTN15MM9070_25_01_2023
Crew previously boarded (Y/N)	unk	Inspection report ID	
<u>Comments:</u> Previously inspected 25/01/2023.			

Daniel Barros Teixeira
BIOT Senior Fisheries Protection Officer

01/12/2023

BIOT INSPECTION REPORT – DT007

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	0	
		Stern	1	
		Evidence of fishing	0	
		FV with BPV	2	
		Other		
Wheel house		Radar		
		GPS	2	
		SFPO GPS	0	
		Radio equipment	0	
		VMS	2	
		Plotter	2	
Documents		License	2	
		Logbook	0	
		Boat departure form	0	
		Insurance	0	
		Other documents	0	
Crew identification		Captain photos	0	
		Crew member photo	0	
		Captain identification	2	
		Crew identification	0	
Fishing activity	Fishing equipment	Nets	1	
		Longline	2	
		Wire trace	0	
		Hand line	0	
		Harpoon	0	
		Pots / traps / cages	0	
		Marker buoys	1	
		Fishing equipment in water	1	
		Other	0	
	Evidence of fishing	Blood on deck	0	
		Catch in water	4	
		Catch released alive	4	
		Hauling	5	
		Position Gear (start)	1	
		Position Gear (end)	1	
	Holds and catch storage	Hold lid on	0	
		Hold lid off	1	
		Catch in hold	6	
		Bridge deckhead	0	
		Catch on deck	1	
Security seals		0		
Other (list)				

BIOT INSPECTION REPORT – DT007

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] Ave Mariya Starboard Side.



[Fig. 2] Ave Mariya Starboard Side.



[Fig. 3] Ave Mariya Stern.



[Fig. 4] Ave Mariya Portside.



[Fig. 5] Ave Mariya Portside.

WARRANT

Date: 5-12-23 Location: FARA From: To: At:

MEASUREMENT	TIME	COMMENT	INITIALS
0801	0801	ARRIVED AT 0801H	TS
0802	0802	SEARCHED THE AREA AND FOUND THE BOAT AT 0802H	OS
0803	0803	SEARCHED THE BOAT AND FOUND THE BOAT AT 0803H	OS
0804	0804	SEARCHED THE BOAT AND FOUND THE BOAT AT 0804H	OS
0805	0805	SEARCHED THE BOAT AND FOUND THE BOAT AT 0805H	OS
0806	0806	SEARCHED THE BOAT AND FOUND THE BOAT AT 0806H	OS
0807	0807	SEARCHED THE BOAT AND FOUND THE BOAT AT 0807H	OS
0808	0808	SEARCHED THE BOAT AND FOUND THE BOAT AT 0808H	OS
0809	0809	SEARCHED THE BOAT AND FOUND THE BOAT AT 0809H	OS
0810	0810	SEARCHED THE BOAT AND FOUND THE BOAT AT 0810H	OS
0811	0811	SEARCHED THE BOAT AND FOUND THE BOAT AT 0811H	OS
0812	0812	SEARCHED THE BOAT AND FOUND THE BOAT AT 0812H	OS
0813	0813	SEARCHED THE BOAT AND FOUND THE BOAT AT 0813H	OS
0814	0814	SEARCHED THE BOAT AND FOUND THE BOAT AT 0814H	OS
0815	0815	SEARCHED THE BOAT AND FOUND THE BOAT AT 0815H	OS
0816	0816	SEARCHED THE BOAT AND FOUND THE BOAT AT 0816H	OS
0817	0817	SEARCHED THE BOAT AND FOUND THE BOAT AT 0817H	OS
0818	0818	SEARCHED THE BOAT AND FOUND THE BOAT AT 0818H	OS
0819	0819	SEARCHED THE BOAT AND FOUND THE BOAT AT 0819H	OS
0820	0820	SEARCHED THE BOAT AND FOUND THE BOAT AT 0820H	OS
0821	0821	SEARCHED THE BOAT AND FOUND THE BOAT AT 0821H	OS
0822	0822	SEARCHED THE BOAT AND FOUND THE BOAT AT 0822H	OS
0823	0823	SEARCHED THE BOAT AND FOUND THE BOAT AT 0823H	OS
0824	0824	SEARCHED THE BOAT AND FOUND THE BOAT AT 0824H	OS
0825	0825	SEARCHED THE BOAT AND FOUND THE BOAT AT 0825H	OS
0826	0826	SEARCHED THE BOAT AND FOUND THE BOAT AT 0826H	OS
0827	0827	SEARCHED THE BOAT AND FOUND THE BOAT AT 0827H	OS
0828	0828	SEARCHED THE BOAT AND FOUND THE BOAT AT 0828H	OS
0829	0829	SEARCHED THE BOAT AND FOUND THE BOAT AT 0829H	OS
0830	0830	SEARCHED THE BOAT AND FOUND THE BOAT AT 0830H	OS

HS 001 (Rev. 8/00)

[Fig. 6] BPV logbook 05/12/2023.



[Fig. 7] ECDIS sighting- 07:22, BPV approaching Ave Mariya SW of Pitt Bank, about to increase speed to 2.5Kn.



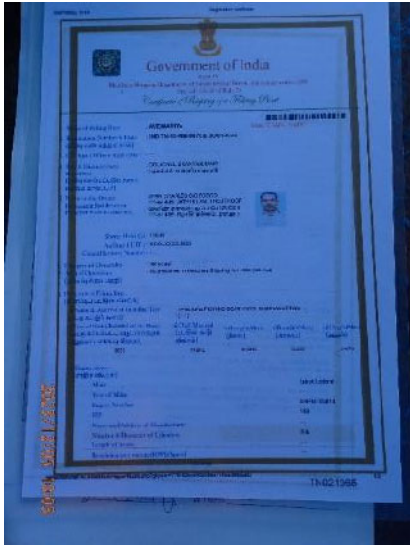
[Fig. 8] ECDIS sighting –07:37, BPV SW of Pitt Bank, 2 min after SQ3 and Fishery pennant raised.



[Fig. 9] Fishing gear not stowed and being used at time of boarding, 08:21.



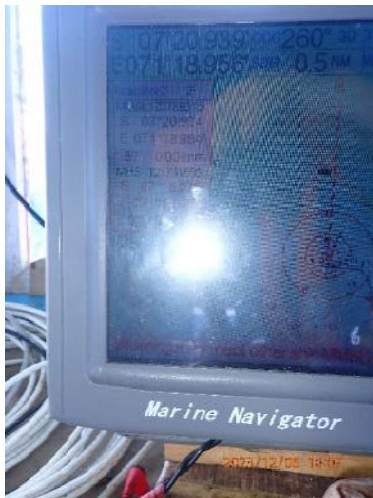
[Fig. 10] Fishing gear not stowed and being used at time of boarding, 08:22.



[Fig. 11] Ave Mariya Certificate of Registry, front.



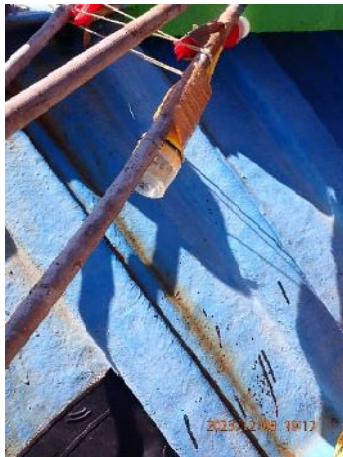
[Fig. 12] Ave Mariya Certificate of Registry, back.



[Fig. 13] Nav system displaying position of deployed dan buoys with transponders.



[Fig. 14] Nav system, boarding position.



[Fig. 15] Cosmo 4 transponder attached to dan buoy.



[Fig. 16] Hauling a small Tiger Shark (*Galeocerdo cuvier*). Released back to the sea.



[Fig. 17] Red Snapper being released back to the sea.



[Fig. 18] Small Grey Reef Shark (*Carcharhinus amblyrhynchos*). Later released back to the sea.



[Fig. 19] Hook rack, circa 300 per line.



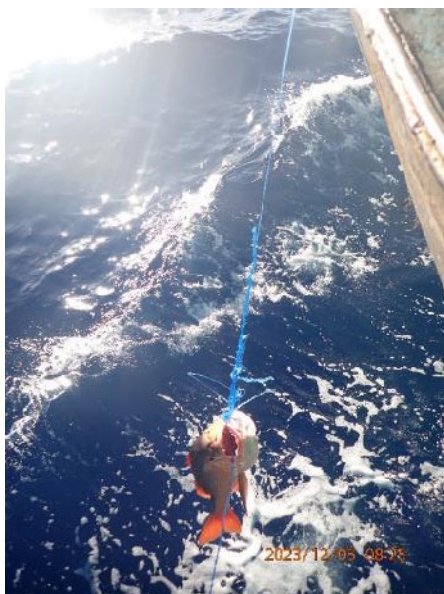
[Fig. 20] Fishing gear not stowed and being used at time of boarding, 08:22.



[Fig. 21] Green Jobfish (*Aprion virescens*) being hauled. Later released.



[Fig. 22] Small Grey Reef shark (*Carcharhinus amblyrhynchos*).



[Fig. 23] Hauling Red Snapper (*Lutjanus bohar*).



[Fig. 24] Cosmo 2 and 3 used in dan buoys.



[Fig. 25] Adult Grey Reef Shark (*Carcharhinus amblyrhynchos*)



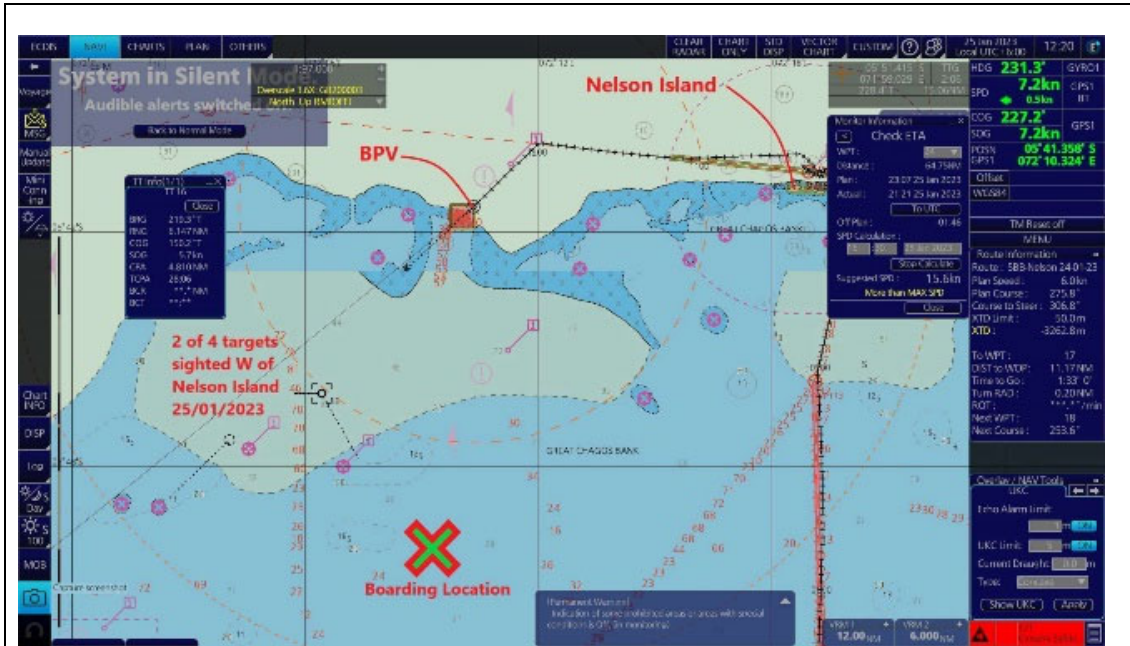
[Fig 26] Hold. Fish in the corridor.



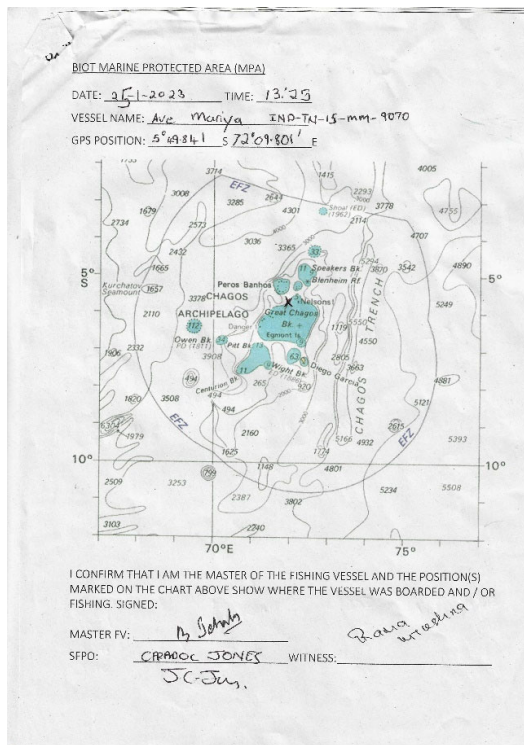
[Fig 27] Hold. Half full compartment, containing shark.



[Fig 28] Hold. Compartment with ice.



[Fig.1] Annotated ECDIS overview 25/01/2023 12:20 Local time



[Fig.2] Boarding location confirmation.



[Fig.3] GPS / AIS TX RX combination, with confirmation of vessel position.



[Fig.4] Second GPS / AIS combination unit with gear deployments marked



[Fig.5] Certificate of Registry 1 of 2.



[Fig.6] 'Certificate of Registry 2 of 2.



[Fig.18] Dan Buoys lights / AIS attached pre/post deployment. No vessel markings.



[Fig.19] Unstowed nets, sea anchor & BIOT patrol daughter craft.



[Fig.20] Roof with fishing light set.



[Fig.21] AIS transponders 'A', 'O' & '1'. No vessel markings.



[Fig.21] Anchors



[Fig.22] Wire trace made on board.



[Fig.23] Fresh catch: *Epinephelus chlorostigma*



[Fig.24] Fresh catch: *Lutjanus bohar*



[Fig.25] Catch in hold: *Aethaloperca rogea*



[Fig.26] Shark spp



[Fig.27] Ice holds



[Fig.28] Bay 1: Shark spp.



[Fig. 29] Bay 2: Shark spp.



[Fig.30] Bay 3: Shark spp.



[Fig.31] Swordfish (*Xiphias gladius*)



[Fig.32] Ray spp ~ 1.5m.



BRITISH INDIAN OCEAN TERRITORY

MAGISTRATE'S COURT

RECORD OF PROCEEDINGS

Case Number: 013-23

Name: Mr Jerin Charles B

Employment: AVE MARIYA (INDTN 15 MM 9070)

The above named person appeared in the Magistrate's Court on the 7th day of December 2023 on the following charge(s):

RESULT OF HEARING

Application was made for a quantity of perishable good to be destroyed by ROPO 1 Mr Mike Mwale, after hearing Mr Jerin Charles B the Court was adjourned for five minutes while the Magistrate read the details and to understand the statement made by Mr Jerin Charles B.

Magistrates decided to grant the application to destroy the perishable good.



.....
Clerk of the Magistrate's Court
Diego Garcia
British Indian Ocean Territory
7th day of December 2023



THE BRITISH INDIAN OCEAN TERRITORY
MAGISTRATES COURT

R (Applicant) v Mr Jerin Charles B
(Respondents)

THE COMPLAINT OF

BIOT Police Officer ROPO 1, Mr Mike Mwale

WHO STATES THAT:

1. Indian registered Fishing Vessels AVE MARIYA (INDTN 15 MM 9070), has been detained for illegally fishing within the fishing waters of the Territory and is currently alongside Finger Pier 3, Diego Garcia.
2. Mr Jerin Charles B (the Respondent) are the master of the fishing vessel.
3. There was found on board the vessel a quantity of perishable goods, (that is to say fish which are decaying) which have been seized pursuant to Section 12(1)(I) of the Fisheries (Conservation and Management) Ordinance 2007.
4. Before the conclusion of the proceedings pending which these perishable goods are being held, it is no longer practicable to keep them, because of the deteriorating condition of these goods.

I therefore apply to the court for an order pursuant to section 13(6) of the Fisheries (Conservation and Management) Ordinance 2007 that:

All perishable goods on the vessel forthwith be destroyed, or otherwise disposed of.

7th day of December 2023



Mike Mwale
Mike Mwale
Complainant



25 octobre 2023

CIRCULAIRE CTOI

2023-57

Madame/Monsieur,

COMMUNICATION DE L'UNION EUROPEENNE ACTUALISANT LES INFORMATIONS RELATIVES AU NAVIRE « COBIJA » QUI EST INCLUS DANS LA LISTE INN

Conformément au paragraphe 30 de la Résolution CTOI 18/03, l'Union européenne a soumis les informations du document ci-joint afin d'actualiser certains champs d'informations de la Liste des navires INN de la CTOI pour le navire COBIJA.

Tel que requis au paragraphe 30 (b) de la Résolution susmentionnée, le Secrétariat de la CTOI a vérifié avec succès les informations transmises par l'UE en faisant référence à d'autres informations, sauf pour le nom du propriétaire des deux entreprises. Par conséquent, le champ d'informations « Propriétaire effectif » ne sera pas mis à jour avec le nom de la personne inclus dans les informations fournies par l'UE.

Cordialement,

M. Paul de Bruyn
Secrétaire exécutif

Pièce jointe :

- Communication de l'UE

Distribution

Parties contractantes de la CTOI : Australie, Bangladesh, Chine, Comores, Érythrée, Union Européenne, France (Territoires), Inde, Indonésie, Iran (Rép. Islamique d'), Japon, Kenya, Rép. de Corée, Madagascar, Malaisie, Maldives, Maurice, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalie, Afrique du Sud, Sri Lanka, Soudan, Rép. Unie de Tanzanie, Thaïlande, Royaume-Uni, Yémen. **Parties coopérantes non-contractantes :** Liberia **Organisations intergouvernementales, organisations non-gouvernementales. Présidente de la CTOI. Copie :** Siège de la FAO, Représentants de la FAO auprès des CPC.

Ce message est envoyé uniquement par email.

Note: ce qui suit est la traduction d'un document en anglais reçu par le Secrétariat. Pour plus de détails, se reporter à l'original.

De:

Envoyé: jeudi, octobre 19, 2023 10:43 AM

A: IOTC-Compliance <IOTC-Compliance@fao.org>

Objet: Informations actualisées sur un navire INN

Chers collègues,

Nous avons reçu des informations actualisées concernant le navire COBIJA, navire inclus dans la liste des navires INN de la CTOI. Vous trouverez, ci-dessous, un résumé des informations actualisées avec la circulaire de la CCAMLR de juin 2023 ci-jointe, que nous transmettons au titre de l'article 30 de la Résolution 18/03.

- Nom et adresse du propriétaire du navire de pêche et des propriétaires précédents : les entreprises qui étaient propriétaires du navire de pêche étaient, initialement, **EXPRESS FINANCIAL VENTURES INC**, et ensuite **NICAMAR INTERNATIONAL INVESTMENTS INC**. En outre, l'enquête menée avec le Panama a confirmé que le propriétaire des entreprises **EXPRESS FINANCIAL VENTURES, INC** et **NICAMAR INTERNATIONAL INVESTMENTS, INC** est **PABLO COSTAS VILLAR**.

- Lieu d'immatriculation du propriétaire : les entreprises ont des adresses au Panama.

- Numéro MMSI (numéro d'identification du service mobile maritime) : **720 877 000** (document n°3 « COMUNICACIONES CON BOLIVIA »).

- Photos du navire de pêche : vous trouverez, ci-joint, ce qui figure dans le rapport d'inspection complémentaire dans la procédure de sanction.

- Date de l'activité de pêche INN alléguée : la date de l'observation réalisée par les autorités australiennes était le 18 juin 2020, bien que le navire soit inclus dans la liste des navires participant à des activités de pêche INN de l'OPASE depuis novembre 2017.

Cordialement,

Commission européenne

Direction générale des affaires maritimes et de la pêche
Unité B2 Organisations Régionales de Gestion des Pêches
J99 03/72
B-1049 Bruxelles/Belgique



30 octobre 2023

CIRCULAIRE CTOI

2023–59

Madame/Monsieur,

INSCRIPTION CROISEE DES NAVIRES INCLUS DANS LA LISTE DES NAVIRES INN

Conformément au paragraphe 34 de la Résolution CTOI 18/03, j'invite les CPC à examiner la liste ci-jointe des navires proposés pour inscription croisée dans la Liste des navires illicites, non déclarés et non réglementés (INN) de la CTOI. La liste ci-jointe a été compilée conformément au paragraphe 31 de la Résolution susmentionnée.

Conformément au paragraphe 35 de la Résolution susmentionnée, toute CPC peut soumettre une objection par écrit à l'inclusion d'un navire dans la liste proposée dans un délai de 30 jours à compter de la date de la présente Circulaire. La CPC soumettant l'objection expliquera les motifs invoqués pour l'objection.

La Liste des navires INN de la CTOI pourra être amendée en conséquence à l'issue de ce processus de consultation.

Cordialement,

Paul de Bruyn
Secrétaire exécutif

Pièce jointe :

- Liste des navires proposés pour l'inscription croisée INN

Distribution

Parties contractantes de la CTOI : Australie, Bangladesh, Chine, Comores, Érythrée, Union Européenne, France (Territoires), Inde, Indonésie, Iran (Rép. Islamique d'), Japon, Kenya, Rép. de Corée, Madagascar, Malaisie, Maldives, Maurice, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalie, Afrique du Sud, Sri Lanka, Soudan, Rép. Unie de Tanzanie, Thaïlande, Royaume-Uni, Yémen. **Parties coopérantes non-contractantes :** Liberia **Organisations intergouvernementales, organisations non-gouvernementales. Présidente de la CTOI. Copie :** Siège de la FAO, Représentants de la FAO auprès des CPC.

Ce message est envoyé uniquement par email.

List of vessels proposed for IUU cross-listing/Liste des navires proposés pour l'inscription croisée INN

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaires précédent/s)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel(m)/ Longueur hors-tout du navire(m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of IUU activities/ Résumé des activités INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of action taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
1	FREEDOM	Cameroon/Cameroun	INTERA COMPANY SA	Suite 1203, 12th Floor, Ocean Business Plaza Building, Calle Aguilino de la Guardia y Calle 47 Este, Panama City	INTERA COMPANY SA	Suite 1203, 12th Floor, Ocean Business Plaza Building, Calle Aguilino de la Guardia y Calle 47 Este, Panama City, Panama	Panama IMO Company No. 5942421	JVAW7	7302548	NA/PD	UNK/INC	December/décembre 2023	Vessel suspected to have carried out IUU fishing activities in the ICCAT Convention area, observed near the port of Shidao (CNSHD). Strong suspicions that the vessel has been renamed FREEDOM 7 and flies the flag of CAMEROON. / Navire suspecté d'avoir réalisé des activités de pêche INN dans la zone de la Convention de l'ICCAT, observé près du port de Shidao (CNSHD). Ce navire est fortement soupçonné d'avoir été renommé FREEDOM 7 et de battre le pavillon du CAMEROON.	UNK/INC	UNK/INC	Cross-listing: ICCAT/Inscription croisée: ICCAT
2	GLORIOWAVE	Sierra Leone	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	T8A4017	9017666	NA/PD	UNK/INC	December/décembre 2023	This vessel was observed conducting unauthorized bunkering activities in the NPFC Convention Area on June 26, 2022. NOTE: TCC06 was informed that the vessel is understood to have flagged to Palau, and later Togo, and may also be using the name RIWA. / Ce navire a été observé en train de réaliser des activités d'avitaillement non autorisées dans la zone de la Convention de la NPFC le 26 juin 2022. NOTE : TCC06 a été informé que le navire est réputé avoir battu le pavillon de Palau, puis ultérieurement du Togo et pourrait également utiliser le nom RIWA.	TCC06	UNK/INC	Cross-listing: SIOFA (NPFC)/Inscription croisée: SIOFA (NPFC)
3	KIKI	Gambia/Gambie	UNK/INC (HSIN FEI TRADING INVESTMENT COMPANY dite NATIC SARL (in Senegal))	UNK/INC 6 Rue Malan x 22 Bd Djily mbaye BP 22288 - Dakar Ponty (in Senegal)	UNK/INC (HSIN FEI TRADING INVESTMENT COMPANY dite NATIC SARL (in Senegal))	UNK/INC 6 Rue Malan x 22 Bd Djily mbaye BP 22288 - Dakar Ponty (in Senegal)	UNK/INC	CSJ130	7929176	NA/PD	UNK/INC	December/décembre 2023	Engage in fishing or fishing related activities contrary to any other ICCAT conservation and management measures. / Participation à la pêche ou à des activités liées à pêche en contravention avec toute autre mesure de conservation et de gestion de l'ICCAT.	NA/PD	UNK/INC	Cross-listing: ICCAT/Inscription croisée: ICCAT
4	LUCAS	Gambia/Gambie	UNK/INC or/ou "HSIN FEI TRADING INVESTMENT COMPANY dite NATIC SARL"	UNK/INC or/ou "6 Rue Malan x 22 Bd Djily mbaye BP 22288 - Dakar Ponty"	UNK/INC or/ou "HSIN FEI TRADING INVESTMENT COMPANY dite NATIC SARL"	UNK/INC or/ou "6 Rue Malan x 22 Bd Djily mbaye BP 22288 - Dakar Ponty"	Senegal/Sénégal	CSJ128	9038402	NA/PD	UNK/INC	December/décembre 2023	Transship with, or participate in other joint operations, such as re-supplying or re-fuelling, with vessels included in the IUU vessels list. / Transbordement ou participation à d'autres opérations conjointes, telles que le réapprovisionnement en carburant ou le ravitaillement, avec des navires inclus dans la Liste des navires INN.	NA/PD	UNK/INC	Cross-listing: ICCAT/Inscription croisée: ICCAT
5	QIAN YUAN	Panama	GINSIL HOLDING GROUP LIMITED	UNK/INC	PHAM HONG NAM	UNK/INC	UNK/INC	H3YK (5VEZ8)	8819691	NA/PD	UNK/INC	December/décembre 2023	This vessel was observed conducting unauthorized transshipment activities in the NPFC Convention Area between June 23 and 26, 2022. / Ce navire a été observé en train de réaliser des activités de transbordement non autorisées dans la zone de la Convention de la NPFC entre le 23 et le 26 juin 2022.	NA/PD	UNK/INC	Cross-listing: SIOFA (NPFC)/Inscription croisée: SIOFA (NPFC)
6	SHUN HANG (VILA MOOSUN)	UNK/INC (Panama, Tuvalu)	SHUNHANG INTERNATIONAL SHIPPING CO., LIMITED	UNK/INC	HOWLADER MDNAJIR	UNK/INC	UNK/INC	H3DE	8214645	NA/PD	UNK/INC	December/décembre 2023	This vessel was observed actively engaged in transshipment activities in the Convention Area on September 17th and a review showed it had not transmitted required VMS positional data to the NPFC Secretariat between September 16th and September 21st, 2022. / Ce navire a été observé en train de participer activement à des activités de transbordement dans la zone de la Convention le 17 septembre et une étude a montré qu'il n'avait pas transmis les données de position de SSN au Secréariat de la NPFC entre le 16 et le 21 septembre 2022.	NA/PD	UNK/INC	Cross-listing: SIOFA (NPFC)/Inscription croisée: SIOFA (NPFC)
7	ZHONG FU HAO 11 (HUMBOLDY BAY)	UNK/INC	FUWANTONG OCEAN SHIPPING CO., LIMITED.	UNK/INC	Ke Benwen	UNK/INC	UNK/INC	HO4706	8907888	NA/PD	UNK/INC	December/décembre 2023	This vessel was observed conducting unauthorized transshipment activities in the NPFC Convention Area on September 6, 2021. / Ce navire a été observé en train de réaliser des activités de transbordement non autorisées dans la zone de la Convention de la NPFC le 6 septembre 2021.	NA/PD	UNK/INC	Cross-listing: SIOFA (NPFC)/Inscription croisée: SIOFA (NPFC)