

Original: English, Spanish

### Information submitted under Rec. 08-09 and responses

The *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information (Rec. 08-09)* provides that CPCs, as well as non-governmental organizations, may submit reports on non-compliance with ICCAT conservation and management measures to the Secretariat at least 120 days before the Annual Meeting.

Information within the deadline has been presented by Ecology Action Centre, Environmental Justice Foundation (EJF), Greenpeace, and the European Union. The Chair of the Compliance Committee has agreed that these can be accommodated on the 2023 Agenda.

This document comprises the following:

Allegations received:

- A. EJF – Possible IUU activities of Chinese vessels
- B. EJF – Additional information on possible IUU activities of Chinese vessels
- C. Shark Advocates International – Shark Reporting Gap Analysis
- D. Greenpeace – Choppy Waters; possible IUU activities on Chinese Taipei vessels
- E. European Union – Possible non-compliance by ICCAT CPCs

Responses to allegations received:

1. Response from China to EJF on possible IUU activities of Chinese vessels (documents A and B above)
2. Response from Chinese Taipei to EJF on possible IUU activities of Chinese Vessels (documents A and B above)
3. Response from UK to EJF on possible IUU activities of Chinese vessels (documents A and B above)
4. Response from European Union to EJF on possible IUU activities of Chinese vessels (documents A and B above)
5. Response from Costa Rica to Shark Reporting Gap Analysis (document C above)
6. Response from European Union to Shark Reporting Gap Analysis (document C above)
7. Response from Chinese Taipei to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above) and two annexes to same.
8. Response from Panama to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above)
9. Response from Japan to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above)
10. Response from Panama to European Union on possible non-compliance (document E above)
11. Response from Belize to European Union on possible non-compliance (document E above)
12. Response from China to European Union on possible non-compliance (document E above)

**Appendix 1.** Additional information from Venezuela relating to allegations contained in COC\_312A\_/2022.

## **A. EJF – Possible IUU activities of Chinese vessels**

**ENVIRONMENTAL  
JUSTICE  
FOUNDATION (EJF)**

**6 June 2023**

### **Vessel Activity Notification**

#### **Allegations of potential illegal, unreported and unregulated (IUU) fishing and serious human rights abuses on vessels belonging to the ‘China National Fisheries Corp’ operating in the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention area**

The Environmental Justice Foundation (EJF) exists to protect the natural world and defend our basic human right to a secure environment.

EJF works internationally to inform policy and drive systemic, durable reforms to protect our environment and defend human rights. We investigate and expose abuses and support environmental defenders, indigenous peoples, communities and independent journalists on the frontlines of environmental injustice. Our campaigns aim to secure peaceful, equitable and sustainable futures.

EJF is committed to combating illegal, unreported and unregulated (IUU) fishing. To this end, EJF gathers information on fishing vessels’ activities through conducting interviews with former crew from fishing vessels and through the use of software such as ExactEarth, Global Fishing Watch and Starboard, that allow for the observation of vessels equipped with an Automatic Identification System (AIS).

#### **Introduction**

EJF has been made aware of serious allegations of IUU fishing offences, human and labour rights abuses<sup>1</sup> across a number of vessels under the ownership of the ‘China National Fisheries Corp’ (CNFC) operating predominantly in the ICCAT Convention area (FAO 34 and 47). It is alleged by former crew members who have worked on the vessels detailed in this alert (JIN FENG 1, 3, 4, and 5; JIN SHENG 7; and CHANG RONG 1, 5, and 7), that they have witnessed or engaged in potential destructive and IUU fishing offences including shark finning, fishing in prohibited zones and the capture of charismatic species such as sea turtles and false killer whales. They also allege that they have witnessed or experienced human and labour rights abuses including physical and verbal abuse, wage deduction, document retention and having to work beyond their agreed contract. It should be noted that all the vessels in this alert are currently licensed to operate in the ICCAT Convention area and were also licensed to do so when the alleged offences occurred.

This Vessel Activity Notification, based on crew member testimony, photographic and filmed evidence, AIS data and open-source intelligence, provides detailed information regarding the reported potential IUU fishing offences and human rights abuses experienced across a number of vessels in the CNFC fleet, as well as the fleets potential supply chain links to major markets including the EU, Korea, Japan and Chinese Taipei.

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<sup>1</sup> This briefing will group human rights abuses and labour abuses under the heading ‘Potential human rights abuses’.

## Vessel identities<sup>2</sup>

| <i>Name</i>  | <i>IMO</i> | <i>MMSI</i> | <i>Beneficial Owner</i>       | <i>Gear Type</i> <sup>3</sup> | <i>ICCAT No.</i> <sup>4</sup> | <i>Flag</i>  |
|--------------|------------|-------------|-------------------------------|-------------------------------|-------------------------------|--|
| JIN FENG 1   | 9201085    | 412699120   | China National Fisheries Corp | Longlines                     | AT000CHN00063                 | China<br>   |
| JIN FENG 3   | 9083586    | 413270240   | China National Fisheries Corp | Longlines                     | AT000CHN00022                 | China<br>   |
| JIN FENG 4   | 9109251    | 412698510   | China National Fisheries Corp | Longlines                     | AT000CHN00019                 | China<br>   |
| JIN FENG 5   | 8416059    | 412679330   | China National Fisheries Corp | Longlines                     | AT000CHN00023                 | China<br>  |
| JIN SHENG 7  | 8652720    | 412270058   | China National Fisheries Corp | Longlines                     | AT000CHN00097                 | China<br> |
| CHANG RONG 1 | 8670124    | 413031000   | China National Fisheries Corp | Longlines                     | AT000CHN00061                 | China<br> |
| CHANG RONG 5 | 8670289    | 412280994   | China National Fisheries Corp | Longlines                     | AT000CHN00087                 | China<br> |
| CHANG RONG 7 | 9927122    | 412549271   | CNFC Overseas Fishery         | Longlines                     | AT000CHN00117                 | China<br> |

<sup>2</sup> Information sourced from IHS-Seaweb, unless specified otherwise. Accessed 13.4.2023, <https://www.maritime.ihs.com> (subscription required).

<sup>3</sup> Information obtained from the ICCAT Record of Vessels, available at: <https://www.iccat.int/en/VesselsRecord.asp>

<sup>4</sup> Ibid.

**Table 1.** Summary of the number of crew members interviewed on each vessel, and the cumulative dates on board.

| <i>Vessel name</i> | <i>Number of fishers interviewed</i> | <i>Dates on board</i> |
|--------------------|--------------------------------------|-----------------------|
| JIN FENG 1         | 1                                    | 06/2020 - 12/2020     |
| JIN FENG 3         | 1                                    | 10/2021 - 06/2022     |
| JIN FENG 4         | 4                                    | 05/2018 - 12/2020     |
| JIN FENG 5         | 3                                    | 08/2018 - 08/2020     |
| JIN SHENG 7        | 2                                    | 07/2018 - 04/2021     |
| CHANG RONG 1       | 2                                    | 09/2018 - 01/2021     |
| CHANG RONG 5       | 3                                    | 11/2018 - 09/2020     |
| CHANG RONG 7       | 1                                    | 10/2021 - 07/2022     |

### Vessel activities

The below section provides an overview of the alleged IUU fishing and human rights offences for each vessel (**Table 2**). Where possible, testimony received from crew members has been corroborated through visual evidence provided (e.g. photos of the crew on board, passports, contracts, etc.) and/or through vessel tracking software.

**Table 2.** Summary of alleged potential IUU fishing offences and human rights abuses on board CNFC vessels

| <i>Vessel name</i> | <i>Potential IUU fishing offences<br/>(Relevant ICCAT Resolution where applicable)</i>   | <i>Potential human rights abuses</i>   |
|--------------------|--|--|
| JIN FENG 1         | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> <li>- Charismatic catches - False killer whales</li> </ul>  | <ul style="list-style-type: none"> <li>- Verbal abuse</li> <li>- Document retention</li> <li>- Wage deduction</li> <li>- Deception</li> </ul>                      |
| JIN FENG 3         | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> <li>- Charismatic catches - dolphins</li> </ul>   | <ul style="list-style-type: none"> <li>- Document retention</li> <li>- Wage deduction</li> </ul>   |
| JIN FENG 4         | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> <li>- Charismatic catches - False Killer Whales, turtles (10-09-BYC (2011))</li> <li>- Fishing in an EEZ without due authorisation</li> </ul> | <ul style="list-style-type: none"> <li>- Physical abuse</li> <li>- Verbal abuse</li> <li>- Document retention</li> <li>- Working beyond agreed contract</li> </ul> |



|              |  |   |
|--------------|--|---|
| JIN FENG 5   | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> </ul>   | <ul style="list-style-type: none"> <li>- Physical abuse</li> <li>- Verbal abuse</li> <li>- Document retention</li> <li>- Wage deduction</li> <li>- Deception</li> </ul> |
| JIN SHENG 7  | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> <li>- Charismatic catches - dolphins, False Killer Whales, ray</li> </ul>   | <ul style="list-style-type: none"> <li>- Physical abuse</li> <li>- Verbal abuse</li> <li>- Document retention</li> <li>- Wage deduction</li> </ul>                      |
| CHANG RONG 1 | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> </ul>   | <ul style="list-style-type: none"> <li>- Physical abuse</li> <li>- Verbal abuse</li> <li>- Document retention</li> <li>- Wage deduction</li> </ul>                      |
| CHANG RONG 5 | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> <li>- Charismatic catches - dolphins, turtles (10-09-BYC (2011))</li> </ul> | <ul style="list-style-type: none"> <li>- Physical abuse</li> <li>- Verbal abuse</li> <li>- Document retention</li> </ul>  |
| CHANG RONG 7 | <ul style="list-style-type: none"> <li>- Shark finning (04-10-BYC (2005))</li> </ul>   | <ul style="list-style-type: none"> <li>- Document retention</li> <li>- Wage deduction</li> </ul>  |

As part of the interview process, EJF investigators ask fishers to identify animal species caught by their vessel, presenting interviewees with animal identification guides in order to ensure the accuracy of claims, as well as conducting visual analysis of images received.

Several of the identified species are listed as endangered and critically endangered on the International Union for Conservation of Nature's (IUCN's) Red List of Threatened Species<sup>5</sup>. Several species are also included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)<sup>6</sup>, and are therefore subject to controls on international trade, as well as being included in both Appendix I and II of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). **Table 3** summarises the species that EJF believe to have been captured by the vessels mentioned in this briefing.

It should be noted that the finning of sharks is banned within the ICCAT Convention area according to Recommendation 04-10-BYC (2005) on "the conservation of sharks caught in association with fisheries managed by ICCAT". This recommendation, inter alia, states that: "CPCs shall take the necessary measures to require that their fishermen fully utilize their entire catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts and skins, to the point of first landing" and "Fishing vessels are prohibited from retaining on board, transshipping or landing any fins harvested in contravention of this Recommendation"<sup>7</sup>.

<sup>5</sup> <https://www.iucnredlist.org>

<sup>6</sup> Trade in the species listed in CITES Appendix II must be controlled in order to avoid utilisation incompatible with their survival: <https://cites.org/eng/app/index.php>

<sup>7</sup> [https://www.iccat.int/Documents/Recs/COMPENDIUM\\_ACTIVE\\_ENG.pdf](https://www.iccat.int/Documents/Recs/COMPENDIUM_ACTIVE_ENG.pdf)

**Table 3.** Species identified by crew members.

| <i>Species name</i>                                       | <i>IUCN Red List Classification<sup>8</sup></i> | <i>CITES<sup>9</sup></i> | <i>ICCAT prohibitions<sup>10</sup></i>      | <i>CMS<sup>11</sup></i> | <i>Allegedly identified on vessel</i>  |
|---|---|--------------------------|---|-------------------------|--|
| Blacktip shark ( <i>Carcharhinus limbatus</i> )           | Vulnerable                                      |                          |   |                         | JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5   |
| Oceanic whitetip shark ( <i>Carcharhinus longimanus</i> ) | Critically Endangered                           | Appendix II              | Prohibited (10-07-BYC (2011)) <sup>12</sup> | Appendix I              | JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5   |
| Shortfin mako shark ( <i>Isurus oxyrinchus</i> )          | Endangered                                      |                          |   | Appendix II             | JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5   |
| Silky shark ( <i>Carcharhinus falciformis</i> )           | Vulnerable                                      | Appendix II              | Prohibited (11-08-BYC (2012)) <sup>13</sup> | Appendix II             | JIN FENG 4;<br>JIN FENG 5;<br>CHANG RONG 5   |
| Tiger shark ( <i>Galeocerdo cuvier</i> )                  | Near Threatened                                 |                          |   |                         | JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5;<br>CHANG RONG 7                                |
| Blue shark ( <i>Prionace glauca</i> )                     | Near Threatened                                 |                          |   | Appendix II             | JIN FENG 1; JIN;<br>JIN FENG 3;<br>FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 1;<br>CHANG RONG 5 |

<sup>8</sup> <https://www.iucnredlist.org>

<sup>9</sup> <https://cites.org/sites/default/files/eng/app/2023/E-Appendices-2023-02-23.pdf>

<sup>10</sup> [https://www.iccat.int/Documents/Recs/COMPENDIUM\\_ACTIVE\\_ENG.pdf](https://www.iccat.int/Documents/Recs/COMPENDIUM_ACTIVE_ENG.pdf)

<sup>11</sup> [https://www.cms.int/sites/default/files/basic\\_page\\_documents/appendices\\_cop13\\_e\\_0.pdf](https://www.cms.int/sites/default/files/basic_page_documents/appendices_cop13_e_0.pdf)

<sup>12</sup> This Recommendation states, *inter alia*, that: “Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks in any fishery”.

<sup>13</sup> This recommendation states, *inter alia*, that: “Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall require fishing vessels flying their flag and operating in ICCAT managed fisheries to release all silky sharks whether dead or alive, and prohibit retaining on board, transshipping, or landing any part or whole carcass of silky shark”.

|  |   |             |   |             |  |
|--|---|-------------|---|-------------|--|
| Great hammerhead shark ( <i>Sphyrna mokarran</i> )       | Critically Endangered   | Appendix II | Prohibited (10-08-BYC (2011)) <sup>14</sup> | Appendix II | JIN FENG 1;<br>JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5;<br>CHANG RONG 7 |
| Great White Shark ( <i>Carcharodon carcharias</i> )      | Vulnerable  | Appendix II |   | Appendix II | JIN FENG 1;<br>JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5                  |
| Thresher Shark   | Pelagic Thresher ( <i>Alopias pelagicus</i> ): Endangered<br><br>Bigeye Thresher ( <i>Alopias superciliosus</i> ) and Common Thresher ( <i>Alopias vulpinus</i> ): Vulnerable | Appendix II | Prohibited (09-07-BYC (2010)) <sup>15</sup> | Appendix II | JIN FENG 1;<br>JIN FENG 4;<br>JIN FENG 5;<br>JIN SHENG 7;<br>CHANG RONG 5                  |
| Basking shark ( <i>Cetorhinus maximus</i> )              | Endangered  | Appendix II |   | Appendix I  | JIN FENG 4   |
| Short-beaked Common Dolphin ( <i>Delphinus delphis</i> ) | Least Concern   |             |   |             | JIN SHENG 7  |
| False killer whale ( <i>Pseudorca crassidens</i> )       | Near Threatened   |             |   |             | JIN FENG 1;<br>JIN FENG 4;<br>JIN SHENG 7  |
| Olive ridley   | Vulnerable  |             |   | Appendix I  | JIN FENG 4   |

<sup>14</sup> This recommendation states, inter alia, that: "Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the family Sphyrnidae (except for the *Sphyrna tiburo*), taken in the Convention area in association with ICCAT fisheries".

<sup>15</sup> This Recommendation states, inter alia, that: "Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit, retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of bigeye thresher sharks (*Alopias superciliosus*) in any fishery with exception of a Mexican small-scale coastal fishery with a catch of less than 110 fish".

|  |            |  |  |             |             |
|--|------------|--|--|-------------|-------------|
| Sea turtle<br>( <i>Lepidochelys olivacea</i> )       |            |  |  |             |             |
| Atlantic pygmy devil ray ( <i>Mobula hypostoma</i> ) | Endangered |  |  | Appendix II | JIN SHENG 7 |

### JIN FENG 1

EJF spoke to one crew member who worked on board the JIN FENG 1 for “about six months” before travelling back to Indonesia in December 2020, having transferred to the vessel from another of the CNFC fleet (JIN FENG 5). During the period that the crew member was on board JIN FENG 1, the vessel operated primarily in the Atlantic Ocean, FAO areas 27, 31, and 34 (see **Appendix 1**). In this time, the vessel appears to have docked twice in Dakar (Senegal), which is where they would reportedly unload fish, and once in Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 30 May 2023, locating it in the Atlantic Ocean, at 9.2062 N, 47.8974 W.

#### Potential IUU fishing

According to testimony from the crew member, JIN FENG 1 is reported to have undertaken shark finning of a variety of different sharks, including great white, hammerhead, and thresher sharks, with the bodies being thrown back into the sea. The vessel also caught false killer whales, with the crew members taking the teeth.

#### Potential human rights abuses

The crew member reported experiencing verbal abuse on the JIN FENG 1, with the captain and officers often shouting directly at him, and using foul language. The captain also retained all personal documents of the crew, which the crew member thought was to “stop crew members from running away”. At the time of the interview (March 2021), the crew member had still not received any documents back from the agency (including his birth certificate and national ID), despite frequent reminders. Furthermore, the crew member signed the contract with a stated salary of US\$320, however this was later reduced to US\$300 in what the overseas recruitment agency described as a ‘typo’. The agreed on-board salary of US\$50 per month was also never received.

It is of note that when the crew member was transferring from JIN FENG 5 to JIN FENG 1, he was moved on a rubber dinghy in the middle of the sea, stating that it was quite common on JIN FENG vessels to move people or food in such a manner.

### JIN FENG 3

EJF spoke to one crew member who worked on board the JIN FENG 3 between October 2021 and June 2022. During the period that the crew member was on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31 and 34 (see **Appendix 2**). During this time, the vessel travelled to port in Dakar (Senegal) and Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 30 May 2023, locating it in the Atlantic Ocean, at 11.7705 N, 36.9380 W.

## **Potential IUU fishing**

According to crew testimony, shark finning and the capture of charismatic species (dolphins) occurred on board. The crew member detailed how the shark fins, particularly of blue sharks, were kept and the bodies thrown away. Up to 60 sharks could be caught in one night, with the vessel sometimes catching more sharks than tuna – according to the crew member: “for seven months, the boat was actually catching sharks”. In total, 100 sets of fins (each set weighing approximately 6kg) were collected in the same seven-month time period. The testimony also highlighted that they “knew sharks were forbidden, but the captain did not forbid [the practice]”. Dolphins were also caught (“there were also special crew members spearing dolphins to repel/kill them”), under the direction of the captain. Crew testimony confirmed that “it was the captain who asked to spear the dolphin”.

## **Potential human rights abuses**

The crew member reported having his passport and seaman’s book held at an office in Dakar, and by the captain, noting that this was the same for all crew documents. The salary was also heavily deducted, without explanation. Rather than receiving US\$600 in the first three months, only US\$142 was transferred. The same deductions were applied to the crew member’s salary between months four and six, and the second payment of US\$1500, as agreed in the contract, was only US\$450.

## **JIN FENG 4**

EJF spoke to four crew members who worked on board the JIN FENG 4 between May 2018 and December 2020. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31, 34, and 41 (see **Appendix 3**). During this time, the vessel went into port twice in Dakar (Senegal) and Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 26 March 2021, locating it in a port near Ningbo, China, at 29.9454 N, 122.3040 E.

## **Potential IUU fishing**

Suspected IUU fishing was reported by all four of the crew that EJF spoke to. The testimonies describe the high frequency of shark finning (particularly oceanic white tip sharks, great white sharks, and blacktip sharks) and charismatic catches, as well as indicating the vessel may have entered and fished within the EEZ of a coastal State without due authorisation. The vessel would catch up to 50 sharks a day, with the total weight of the bundles of fins being between 100 and 200 kg, and the captain “intentionally catching sharks”. The shark fins would be carefully hidden and never exposed: “maybe the captain was worried if there was a collecting vessel engineer who checking up on our freezer and found the sharks inside and reported it to the police then we got fined”. It was also reported in one testimony that, after the first captain had an argument with the company, two tonnes of shark fins were discarded.

JIN FENG 4 would also “very often” catch charismatic species, including false killer whales and turtles. The false killer whale’s teeth were taken for a necklace, and the captain took the shell of an olive ridley sea turtle.

It was also alleged by crew that the vessel may have fished without authorisation within the EEZ of a country that borders the Atlantic high-seas.

“He [the captain] called me to his room, he wanted me to translate what a person was saying on the radio because he knew I could speak English. I told the captain that the person on the radio said we were not allowed to operate in this area, and he is also asking about our IMO number. Finally the captain told me to cut the communication and leave the area immediately”<sup>16</sup>.

Analysis of AIS data to identify the country this suspected incursion occurred in was inconclusive, with no obvious tracks to suggest that the vessel entered an EEZ to fish - however vessels commonly ‘go dark’ (i.e. turn off their AIS transponders) when conducting illegal operations. When asked which authority he spoke to on the radio the crew member was unsure, stating that they had “some sort of French or Portuguese accent” which might suggest that the incursion happened in a South American EEZ – potentially Brazil or French Guiana, both of which the vessel’s tracks showed it operated in close proximity to.

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<sup>16</sup> In his testimony, the crew member stated that they fished in “French Polynesia”, however based on the AIS signals it is possible that they may have been referring to French Guiana.

It should be noted that whilst one of the crew members was on board, he reported trans-shipment of shark fins to a collection vessel 'LISBOA' and of fish to a collection vessel 'MAXIMUS'. The LISBOA (now 'KIKI') has a track record of collecting shark fins from vessels in the region<sup>17</sup>. Both LISBOA and MAXIMUS (now 'LUCAS') have been added to the ICCAT list of vessels presumed to have carried out IUU fishing activities in 2022<sup>18</sup> for having engaged in illegal trans-shipments in the ICCAT Convention area. It was also noted that the vessels were suspected of exporting tuna and swordfish to the EU in quantities that exceed the quota allocated to Senegal in 2020, their flag State at the time<sup>19</sup>.

### Potential human rights abuses

The crew on board the JIN FENG 4 also reported having witnessed, and experienced a number of human rights abuses, including physical and verbal abuse, document retention, and having to work beyond the agreed contract. The passports of all crew members were kept by the captain, and they were not permitted to leave the port, even when the vessel was docked in Senegal. One interviewee was held for three hours at the police station in Dakar for being in the port without documents. Unagreed contract extensions also took place, with at least two crew members having to work four to six months longer than their contracts stated because of the COVID-19 crisis, and the lack of any other stand-in crew.

All four crew members also reported that verbal and physical abuse occurred on board the JIN FENG 4. The captain "usually" shouted at the crew, and was "often angry" or "mean". Similarly, the foreman often threatened to cut the crew's salaries, and ignored the crew whenever they brought up complaints. As a result, they could be left hungry as the vessel had run out of food, and they had to drink off-coloured, distilled water. The captain would also "often" hit and kick the Indonesian crew. If any mistakes were made, or crew members were sleeping during work time, they were shouted at or hit. They were also kicked if they lost catch, and there were often fights with the Chinese crew.

All four crew members interviewed were transferred to other vessels at sea on a rubber dinghy, including to the vessels CHANG RONG 1, CHANG RONG 4, and CHANG RONG 5.

### JIN FENG 5

EJF spoke to three crew members who worked on board the JIN FENG 5 between August 2018 and August 2020. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31, 34, and 41 (see **Appendix 4**). During this time, the vessel went into port twice in Dakar (Senegal) and Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 16 September 2020, locating it in a port near Ningbo, China, at 30.1495 N, 122.2824 E.

### Potential IUU fishing

According to crew testimony, shark finning occurred whilst on board the JIN FENG 5, as well as fishing in prohibited areas. Up to ten sharks would be caught a day, having their fins removed before their bodies were thrown back into the ocean. If the collection vessel did not want to take the fins, they would also be thrown back into the ocean. Oceanic Whitetip Sharks were "often caught", as well as Blue Sharks and Hammerhead Sharks.

One crew member reported being transferred from JIN FENG 5 to JIN FENG 1 as JIN FENG 5's "contract expired...and it went back to China". Further investigations by EJF suggest this could refer to JIN FENG 5's ICCAT registration ending. According to details of the vessel's historical authorisations in the ICCAT Record of Vessels<sup>20</sup>, the vessel was authorised between 27 September 2019 and 1 April 2020 and then again from 18 August 2021 to 1 April 2023 (**Appendix 5**), indicating that the vessel was not authorised to fish in the ICCAT Convention Area between 2 April 2020 and 17 August 2021 which would be consistent with the crew member's testimony of the vessel's authorisation expiring. AIS signals transmitted by the vessel between

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<sup>17</sup> See for example: Mongabay. (2022). Exclusive: Shark finning rampant across Chinese tuna firm's fleet. Available at: <https://news.mongabay.com/2022/11/exclusive-shark-finning-rampant-across-chinese-tuna-firms-fleet/>; and Greenpeace. (2020). Choppy waters: Forced labour and illegal fishing in Chinese Taipei's Distant Water Fisheries. Available at: <https://www.greenpeace.org/static/planet4-southeastasia-stateless/2020/03/b87c6229-2020-choppy-waters-en.pdf>

<sup>18</sup> ICCAT's IUU Vessel List: <https://www.iccat.int/en/IUUlist.html>

<sup>19</sup> Information retrieved from the 2022 ICCAT Compliance Committee (COC) meeting and associated documents, specifically COC-312A, available here: [https://www.iccat.int/com2022/ENG/COC\\_312A\\_ENG.pdf](https://www.iccat.int/com2022/ENG/COC_312A_ENG.pdf)

<sup>20</sup> ICCAT Record of Vessels profile for JIN FENG 5: <https://www.iccat.int/en/VesselsRecordDet.asp?id=3492>

May and July 2020 are indicative of fishing activities within the ICCAT Convention area as late as 22 June 2020, before the vessel indeed returned to China, via Korea (**Appendix 6**). It is unclear whether or not this fishing was authorised, as the ICCAT Record of Vessel's profile for JIN FENG 5 'Date of Authorisation (Flag State)' section suggests that the vessel was authorised between 1 April 2020 and 30 March 2024, notified to ICCAT on 31 March 2021 (suggesting the authorisation was done in part retroactively).

### **Potential human rights abuses**

Suspected human rights abuses on board the JIN FENG 5 include deception, document retention, wage deduction, verbal and physical abuse. Two crew members reported never receiving the US\$50 monthly on-board salary specified in their contract, and that the captain kept all personal documents. Verbal abuse was reported with the captain using foul language and shouting at the crew "very often". One crew member got shouted at everyday. The captain is said to have slapped the heads of those not working during working hours, and one crew member said the captain "often used physical force" against "foreign" crew members. The safety equipment was also reported to be "lacking" on the JIN FENG 5, and they rarely wore life jackets.

### **JIN SHENG 7**

EJF spoke to two crew members who worked on board the JIN SHENG 7 from July 2018 to April 2021. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31, 34, and 41 (see **Appendix 7**). During this time, the vessel went into port in Dakar (Senegal) and Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 28 September 2022, locating it at port in Gran Canaria, at 28.1448 N, 15.4240 W.

### **Potential IUU fishing**

Suspected IUU fishing was reported by both crew members that EJF spoke to on board the JIN SHENG 7. At least seven different species of shark were caught, including shortfin mako, oceanic whitetip, and hammerhead sharks (an image of a hammerhead shark submitted by crew can be seen in **Appendix 8**). The bodies of the sharks were discarded after their fins were taken.

JIN SHENG 7 also "often" caught dolphins – "sometimes five dolphins a day" – on occasions by harpooning them during hauling (an image of a dolphin on board submitted by crew can be seen in **Appendix 9**). False killer whales were also caught and "only the teeth were taken, the bodies were discarded". It was reported that "the captain would take the teeth first" before handing the rest to crew members. The body would then be discarded (a screenshot of a video submitted by crew showing crew posing with a false killer whale can be seen in **Appendix 10**).

A video received from the crew shows a ray being captured and killed by crew on the JIN SHENG 7 (screenshots from this video can be seen in **Appendix 11**). Through visual analysis, EJF believes that the ray may have been a West Atlantic pygmy devil ray (*Mobula hypostoma*). This species of ray is considered endangered by the IUCN Red List of Threatened Species<sup>21</sup>.

### **Potential human rights abuses**

Suspected human rights abuses, including document retention, wage deduction, and verbal and physical abuse were also documented in both testimonies from on board JIN SHENG 7. The captain retained the passport and the seaman's book of both crew members. While one of the crew members received his entire agreed salary, the other only received US\$200 per month, as opposed to the US\$300 agreed in the contract, and five months worth of salary had still not been paid at the time of the interview.

As regards verbal and physical abuse, the captain and senior crew reportedly "often got angry" or were rude, and frequently shouted at the crew. Both crew members were threatened with being sent back home, or not receiving any compensation if they did not work well. Physical abuse was also reported, as both crew members described how they saw senior crew members hit their friends, "A friend was hit (using a bare hand) by the foreman".

### **CHANG RONG 1**

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<sup>21</sup> See: <https://www.iucnredlist.org/species/126710128/214399766>

EJF spoke to two crew members who worked on board the CHANG RONG 1 from September 2018 to January 2021. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31, 34 and 41 (see **Appendix 12**). During this time, the vessel frequently went into port in Dakar (Senegal) and Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 26 July 2021, locating it in a port near Ningbo, China, at 29.9431 N, 122.3091 E.

### **Potential IUU fishing**

Crew members attest to shark finning, particularly of blue sharks, being undertaken on the vessel, with both stating that it was in accordance with the captain's orders, "we did it anyway, although we knew that it was prohibited, we just followed what the captain's order". In the high season, it was reported that the vessel would catch up to ten sharks a day.

### **Potential human rights abuses**

Suspected human rights abuses aboard the CHANG RONG 1 included document retention, wage deduction, and verbal and physical abuse. All crew passports and contracts were retained by the captain throughout the time worked. One crew member reported that the agency deducted a US\$300 administration fee, but did not provide any details as to what this pertained to, and never received an agreed sum of US\$50 per month as on board salary. The senior crew were also said to have shouted at the crew if mistakes were made. One crew member reported of his friend, who was "new and inexperienced" getting hit on the head when the foreman was not in a good mood. Another crew member had a suspected tumour on his hand, yet the captain would not allow him to go home given the "limited human resources" on board the vessel. He was then said to have "underwent a surgery" with what was available on the vessel.

## **CHANG RONG 5**

EJF spoke to three crew members who worked on board the CHANG RONG 5 from November 2018 to September 2020. During the period that the crew member was on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31, 34 and 41 (see **Appendix 13**). During this time, the vessel frequently went into port in Dakar (Senegal). At the time of writing, the vessel last transmitted AIS on 30 May 2023, locating it in the Atlantic Ocean, at 10.6086 N, 45.0718 W.

### **Potential IUU fishing**

Shark finning and the capture of charismatic species were reported in all testimonies on the CHANG RONG 5. Shark finning was reportedly a regular occurrence, with the crew systematically throwing away the bodies and taking the fins (images obtained from crew of sharks being caught, finned, and frozen can be found in **Appendix 14**). Shortfin Mako and Blue Sharks were said to be the "most frequent", but the vessel "took all of them". The vessel would catch up to 50 sharks per day, and would throw the excess fins overboard with the bodies, if they had too many already. The fins were also hidden under other catch, or noodle cartons, as it was known that sharks were prohibited. Dolphins were also often caught in the lines, and the captain would order the crew to pull them up rather than cut the line. The teeth were taken, and the foreman took the genitals. The rest of the body was thrown away. Images received from the crew also show that turtles were caught, although it is unclear what was done with them afterwards (**Appendix 15**).

### **Potential human rights abuses**

Suspected human rights abuses documented on the CHANG RONG 5 consisted of document retention and verbal and physical abuse. According to the testimonies, an agent collected the crew members' passports as soon as they arrived at the airport, and the captain held them throughout their time on the vessel. There was reportedly verbal abuse on board, with the captain and foreman shouting and swearing at the crew "almost everyday", and the captain could be "really furious" if the crew lost any catch.



There were also multiple reports of physical abuse by the foreman in the crew testimonies. He was said to have pushed an Indonesian crew member and kicked another to wake him up, and he hit the head of a Filipino crew member. The crew were not given breakfast and were not allowed to rest or take medicine if they were ill. One interviewee suffered from anaemia “due to heavy workload and lack of sleep”, but the captain said there was no medicine on board to give him. Another older crew member’s hands were swollen after two months on the vessel, and he was sent home on a tanker ship as the captain could not help him. He ended up having to have his finger amputated. Images were received from a crew member of an injured finger, however it is unclear whether this is the same incident (**Appendix 16**).

All crew members interviewed were also transferred via rubber dinghy at sea, two to JIN FENG 5 and one firstly to CHANG RONG 4 and then to CHANG RONG 1 (an image received from crew show a number of men in a rubber dinghy at sea - presumed by EJF to be during one of these transfers - see **Appendix 17**). Those transferred onto JIN FENG 5 were done so without any notice, and it was noted that eight crew members were moved at that time, to be brought to Senegal before returning to Indonesia.

## **CHANG RONG 7**

EJF spoke to one crew member who worked on board the CHANG RONG 7 from October 2021 to July 2022. During the period that the crew member was on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 27, 31, and 34 (see **Appendix 18**). During this time, the vessel frequently went into port in Dakar (Senegal) and once into Gran Canaria (Spain). At the time of writing, the vessel last transmitted AIS on 30 May 2023, locating it in the Atlantic Ocean, at 10.2171 N, 52.3228 W.

### **Potential IUU fishing**

Shark finning was reported on the CHANG RONG 7. Species included hammerhead and tiger sharks. Fins were removed and dried, and bodies were thrown away. In a month, the total weight of shark fins could be over 100 kg.

### **Potential human rights abuses**

Suspected human rights abuse on the CHANG RONG 7 consisted of document retention and wage deduction. The captain was in charge of all key documents of the crew. The compensation received by the crew member interviewed did not match what was agreed upon at the outset, and he decided to leave the vessel early because of it.

It was reported that one of the crew caught a disease while on board, and was constantly coughing, particularly when the vessel was in a colder area. He is said to have died after three months on the vessel: “When the medical check-up passed, my friend got a disease, but I didn’t know that he may have had an internal disease. He always got coughs in a cold area; the hard coughing one. Knowing that, we suspect that it’s like a wet lung cough. Due to the COVID-19 pandemic, the Indonesian Embassy in Dakar was unable to repatriate the body and the corpse ended up being buried in Dakar”.

### **Supply chain links**

Through our investigations, EJF believes that seafood from a number of the vessels included in this briefing has potentially entered, and continues to enter, key seafood market states, as well as processing states that export to the EU.

Crew testimony, and the vessel tracking software Starboard and Global Fishing Watch, indicate that a number of the vessels listed in this alert potentially undertook at-sea trans-shipment with refrigerated cargo vessels (commonly known as ‘reefers’), between the time the interviewed crew were on board and present. These reefer vessels then returned to ports in Japan, Korea and Chinese Taipei – indicating that they may have offloaded catch deriving from the vessels into major market supply chains. Furthermore, one of the reefers visited key tuna processing states in West Africa, namely Ghana and Senegal, both of whom export processed tuna to the EU. A full list of these trans-shipments can be found in **Appendix 19**. It should be noted that the crew member on board JIN SHENG 7 stated that they trans-shipped to the reefer ‘LADY TUNA’, which included the transfer of both tuna and shark fins: “The fish were transferred first. Then, the shark fins were transferred”. EJF were also provided an image by a crew member that appears to depict tuna being transferred from JIN FENG 4 to a reefer believed to be ‘HSIANG HAO’ (**Appendix 20**)<sup>22</sup>, but it is not clear on which date or at which location this occurred.

Under EU health legislation, food of animal origin intended for export to the EU (including fisheries products) must originate from establishments that appear on the appropriate list administered by the Directorate-General for Health and Food Safety (DG-SANTE). This includes fishing vessels with freezing capacities. DG-SANTE’s published list of authorised establishments<sup>23</sup> can provide an indication of fishing vessels that supply fisheries products to the EU market.

At the time of writing, five vessels that match the details of those included in this alert appear on China’s list of establishments that are authorised to supply fisheries products to the EU (see **Table 4** for details).

**Table 4.** Vessels included in this alert that are on the DG SANTE list of approved non -EU establishments<sup>24</sup>.

| <i>Vessel name</i>                               | <i>Approval Number</i> | <i>Region</i> | <i>Activities</i>   |
|--|------------------------|---------------|---------------------|
| JINFENG NO.1 (CNFC OVERSEAS FISHERIES CO. LTD)   | 1300/20001             | BEIJING       | ZV (FREEZER VESSEL) |
| JINFENG NO.3 (CNFC OVERSEAS FISHERIES CO. LTD)   | 1300/20003             | BEIJING       | ZV (FREEZER VESSEL) |
| JINSHENG7 (CNFC OVERSEAS FISHERIES CO. LTD)      | 3700/20057             | BEIJING       | ZV (FREEZER VESSEL) |
| CHANGRONG NO.1 (CNFC OVERSEAS FISHERIES CO. LTD) | 1300/20013             | BEIJING       | ZV (FREEZER VESSEL) |
| CHANGRONG5 (CNFC OVERSEAS FISHERIES CO. LTD)     | 3700/20059             | BEIJING       | ZV (FREEZER VESSEL) |

<sup>22</sup> The reefer’s call sign appears in the image to be HOFD, which matches that of a reefer formerly named HSIANG HAO (Panama; IMO: 9797656) which is known to have trans-shipped with JIN FENG 4 according to the Global Fishing Watch carrier vessel portal, available at: <https://globalfishingwatch.org/carrier-vessel-portal/>. Note: HSIANG HAO is now named ‘ORANGE FROST’ and is flying the flag of Curacao according to IHS Sea Web.

<sup>23</sup> The non-EU establishments database can be found here: <https://webgate.ec.europa.eu/tracesnt/directory/publication/establishment/index#!/search?sort=country.translation>

<sup>24</sup> Information as presented in the DG-SANTE non-EU establishments database, *ibid.* Accessed 14/04/2023.

## Recommendations

EJF recommends that the ICCAT, together with its relevant member countries:

- Confirm whether the vessels contained within this alert are currently authorised to operate in the ICCAT Convention area, and whether they were authorised to conduct fishing operations during the periods of testimony.
- Review the authorisation history for the JIN FENG 5, ascertaining whether or not its suspected fishing operations between 2 April 2020 and 17 August 2021 were legal and reported.
- Confirm whether or not the trans-shipments outlined in this alert were authorised (see **Appendix 19** for full list).
- Request and review the VMS transmissions of JIN FENG 4 to ascertain whether or not the vessel fished within the EEZ(s) of a coastal State(s), and if so, whether or not it was authorised to do so.
- If it is determined that any or all of the vessels conducted IUU fishing and/or human rights abuses, then the ICCAT should seek to include the vessels on its list of IUU fishing vessels.
- Engage with all members and relevant governments to encourage the accelerated ratification of relevant international conventions including, but not limited to, Cape Town Agreement, International Labour Organization Work in Fishing Convention and the Port State Measures Agreement to ensure all seafood in the supply chain is free of slavery and illegal activities.

EJF recommends that Chinese government:

- Investigate the alleged illegal practices and trans-shipments and, if confirmed, sanction the vessels' owners/captains for the violations.
- Improve transparency in fisheries management. The Global Fisheries Transparency Coalition outlines ten transparency principles in the Global Charter for Fisheries Transparency<sup>25</sup> that are suitable for every country and can be immediately adopted. The priority for the Chinese government should be focusing on publishing organised and up-to-date lists of authorised vessels and sanction lists.
- Ensure the information on Chinese distant water fishing vessels uploaded to the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels by China is comprehensive and up to date.
- Fully ratify and implement the International Labour Organisation Work in Fishing Convention C188 to address issues around labour abuses.
- Review EJF's report "Murky Waters"<sup>26</sup> and implement the recommendations it sets out.

EJF recommends that the authorities of the EU, United Kingdom, Japan, South Korea and Chinese Taipei:

- Investigate whether or not seafood caught by the vessels detailed in this alert, or any other vessels belonging to CNFC, is being landed or imported into their respective countries.
- If seafood from the above sources is indeed entering EU/UK/Japan/South Korea and/or Chinese Taipei supply chains, scrutinise any landings or imports to ensure that they have not derived from IUU fishing or from a vessel on which the human rights of crew are being violated. This should be done in full cooperation with the flag State and relevant regional bodies.

EJF recommends that the authorities of Senegal and Spain:

- Enhance port inspections in order to better identify where seafood entering their ports derives from IUU fishing, and if crew entering their ports are being subjected to human rights abuses.
- Closely scrutinise any catch that comes directly or indirectly (via trans-shipment) from the vessels highlighted in this briefing, as well as those from the CNFC group more broadly.
- Ensure that foreign-flagged vessels are subject to robust port entry protocols, in alignment with their obligations under the Port State Measures Agreement (PSMA).

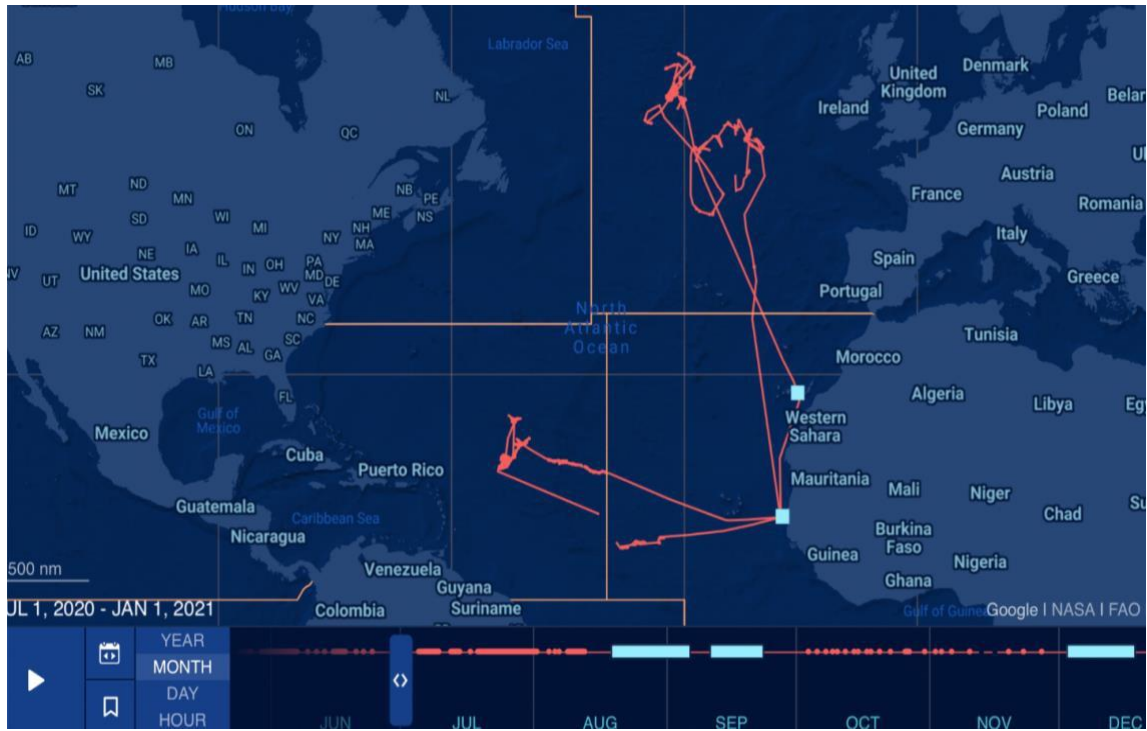
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<sup>25</sup> The Coalition for Fisheries Transparency. (2023). The Global Charter for Fisheries Transparency. Available at: <https://fisheriestransparency.net/>

<sup>26</sup> EJF. (2023). Murky waters: analysis of the regulatory framework governing the distant water fishing fleet of the People's Republic of China. Available at: <https://ejf.org/reports/murky-waters>

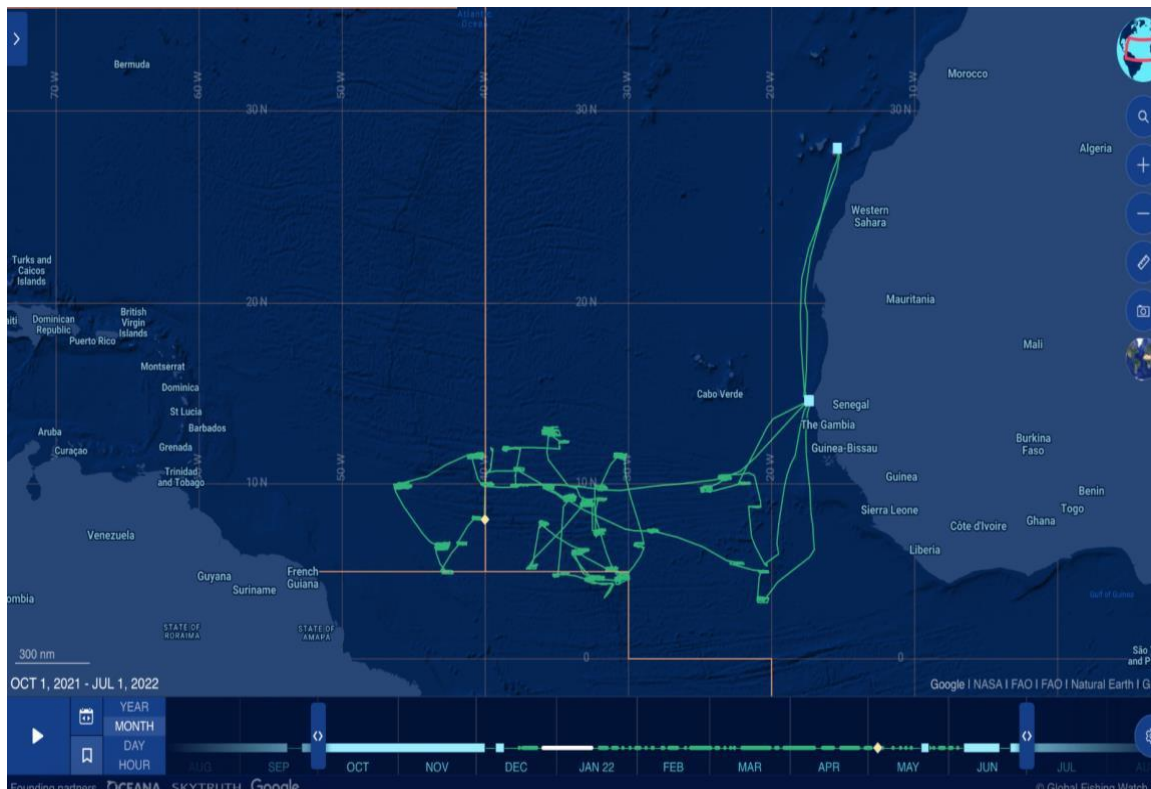
Appendix 1

JIN FENG 1 fishing area July to December 2020 (Global Fishing Watch)

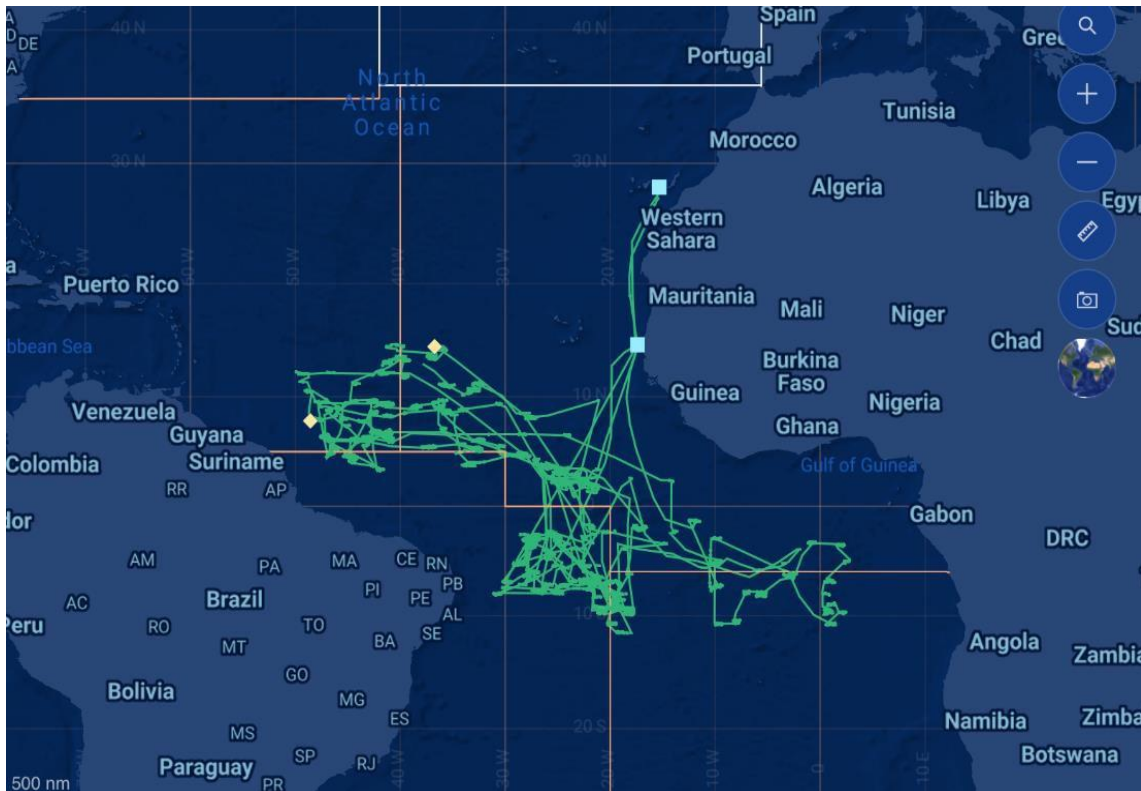


Appendix 2

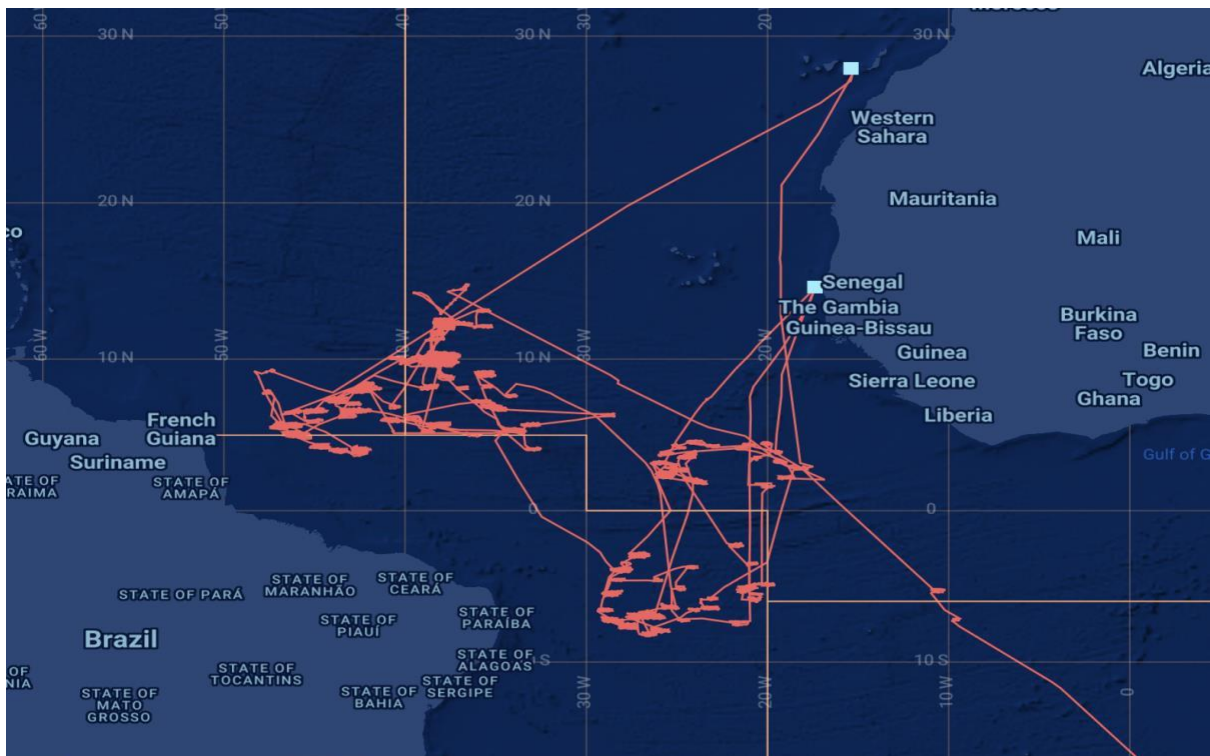
JIN FENG 3 fishing area October 2021 to June 2022 (Global Fishing Watch)



JIN FENG 4 fishing area May 2018 to December 2020 (Global Fishing Watch)



JIN FENG 5 fishing area July 2018 to July 2020 (Global Fishing Watch)

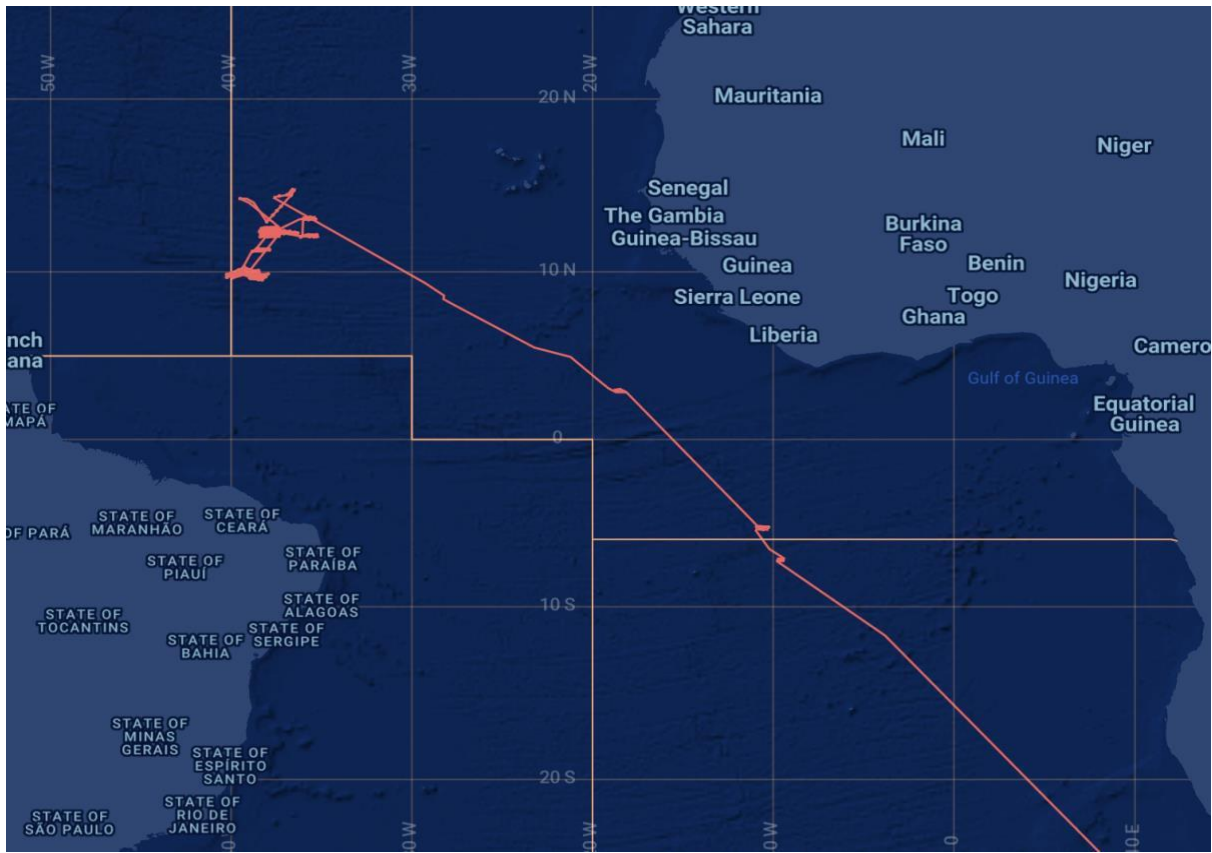


## JIN FENG 5's ICCAT authorisation profile

| AT000CHN00023, JIN FENG NO.5  |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
|---|----------------------------------|-------------------|----------------------------------|------------------------|----------------------------------|----------|---------|----------|---------|---------|---------|-------------------------------------|--|--|--|--|------|----|----------|-----------------------------|------------|------------|------------|---------------------------|------------|------------|------------|------------------------|------------|------------|------------|------------------------|------------|------------|------------|------------------------|------------|------------|------------|------------------------|------------|------------|------------|
| Reporting Flag :  | China PR                         | Current Flag :    | China PR                         | Registry Number :      | (JI)CHUAN DENG(JI)2019/FT-200017 |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| IRCS :  | BZTX                             | Length :          | 47.9                             | Type of length :       | LOA                              |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| GRT :   | 577                              | Type of Tonnage : | GT                               | International Reg No : | 8416059                          |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Type of IRN :   | IMO                              | Vessel Type :     | Longliner                        | Gear Type :            | Longlines (not specified)        |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| <table border="1"> <thead> <tr> <th colspan="4">Dates of Authorization (Flag State)</th> </tr> <tr> <th></th> <th>From</th> <th>To</th> <th>Notified</th> </tr> </thead> <tbody> <tr> <td>Positive List (LDA &gt;= 20 m)</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>31/03/2021</td> </tr> <tr> <td>Tropical Catching Vessels</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>18/08/2021</td> </tr> <tr> <td>SWO-N catching vessels</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>31/03/2021</td> </tr> <tr> <td>SWO-S catching vessels</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>31/03/2021</td> </tr> <tr> <td>ALB-S catching vessels</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>31/03/2021</td> </tr> <tr> <td>ALB-N catching vessels</td> <td>01/04/2020</td> <td>30/03/2024</td> <td>31/03/2021</td> </tr> </tbody> </table> |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         | Dates of Authorization (Flag State) |  |  |  |  | From | To | Notified | Positive List (LDA >= 20 m) | 01/04/2020 | 30/03/2024 | 31/03/2021 | Tropical Catching Vessels | 01/04/2020 | 30/03/2024 | 18/08/2021 | SWO-N catching vessels | 01/04/2020 | 30/03/2024 | 31/03/2021 | SWO-S catching vessels | 01/04/2020 | 30/03/2024 | 31/03/2021 | ALB-S catching vessels | 01/04/2020 | 30/03/2024 | 31/03/2021 | ALB-N catching vessels | 01/04/2020 | 30/03/2024 | 31/03/2021 |
| Dates of Authorization (Flag State)   |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
|   | From                             | To                | Notified                         |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Positive List (LDA >= 20 m)   | 01/04/2020                       | 30/03/2024        | 31/03/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Tropical Catching Vessels   | 01/04/2020                       | 30/03/2024        | 18/08/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| SWO-N catching vessels  | 01/04/2020                       | 30/03/2024        | 31/03/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| SWO-S catching vessels  | 01/04/2020                       | 30/03/2024        | 31/03/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| ALB-S catching vessels  | 01/04/2020                       | 30/03/2024        | 31/03/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| ALB-N catching vessels  | 01/04/2020                       | 30/03/2024        | 31/03/2021                       |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| <b>Owner Details</b>  |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Name :  | CNFC OVERSEAS FISHERIES CO., LTD | Address :         | NO 31, MINGFENG LINE, XIDAN      |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| City :  | BELING                           | Postal Code :     | 100032                           |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Country :   | China PR                         | Telephone :       | 0086-10-88067137                 |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Fax :   |                                  | E-Mail :          | suhengshou@cnfc.com.cn           |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| <b>Operator Details</b>   |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Name :  | CNFC OVERSEAS FISHERIES CO., LTD | Address :         | NO 31, MINGFENG LINE, XIDAN      |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| City :  | BELING                           | Postal Code :     | 100032                           |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Country :   | China PR                         | Telephone :       | 0086-10-88067137                 |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| Fax :   |                                  | E-Mail :          | suhengshou@cnfc.com.cn           |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| <b>History Details (*)</b>  |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| <b>Vessel Details</b>   |                                  |                   |                                  |                        |                                  |          |         |          |         |         |         |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| DateToHistory   | DateNotif                        | ICCATNo           | RegNo                            | IRCS                   | VesName                          | FlagCode | VesCode | GearCode | LengthM | Tonnage | TonType |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 01/04/2023  | 18/08/2021                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2019/FT-200017 | BZTX                   | JIN FENG NO.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 01/04/2020  | 27/09/2019                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2018/FT-200004 | BZTX                   | JIN FENG NO.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 02/01/2018  | 15/09/2017                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2014/FT-200074 | BZTX                   | Jin Feng No.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 15/09/2017  | 14/12/2016                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2014/FT-200074 | BZTX                   | JINFENG No.5                     | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 09/01/2017  | 14/12/2016                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2014/FT-200074 | BZTX                   | Jin Feng No.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 10/03/2016  | 07/05/2015                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2014/FT-200074 | BZTX                   | Jin Feng No.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 18/02/2015  | 30/06/2014                       | AT000CHN00023     | (JI)CHUAN DENG(JI)2013/FT-200008 | BZTX                   | Jin Feng No.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 07/01/2014  | 29/07/2013                       | AT000CHN00023     | 13-000017                        | OMC003                 | JINFENG No.5                     | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |
| 02/07/2013  | 05/03/2013                       | AT000CHN00023     | 13-000017                        | OMC003                 | Jin Feng No.5                    | CHN      | LL      | LL       | 47.9    | 577     | GT      |                                     |  |  |  |  |      |    |          |                             |            |            |            |                           |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |                        |            |            |            |



JIN FENG 5 suspected fishing activity between May and July 2020 (Global Fishing Watch)



JIN SHENG 7 fishing area July 2018 to April 2021 (Global Fishing Watch)

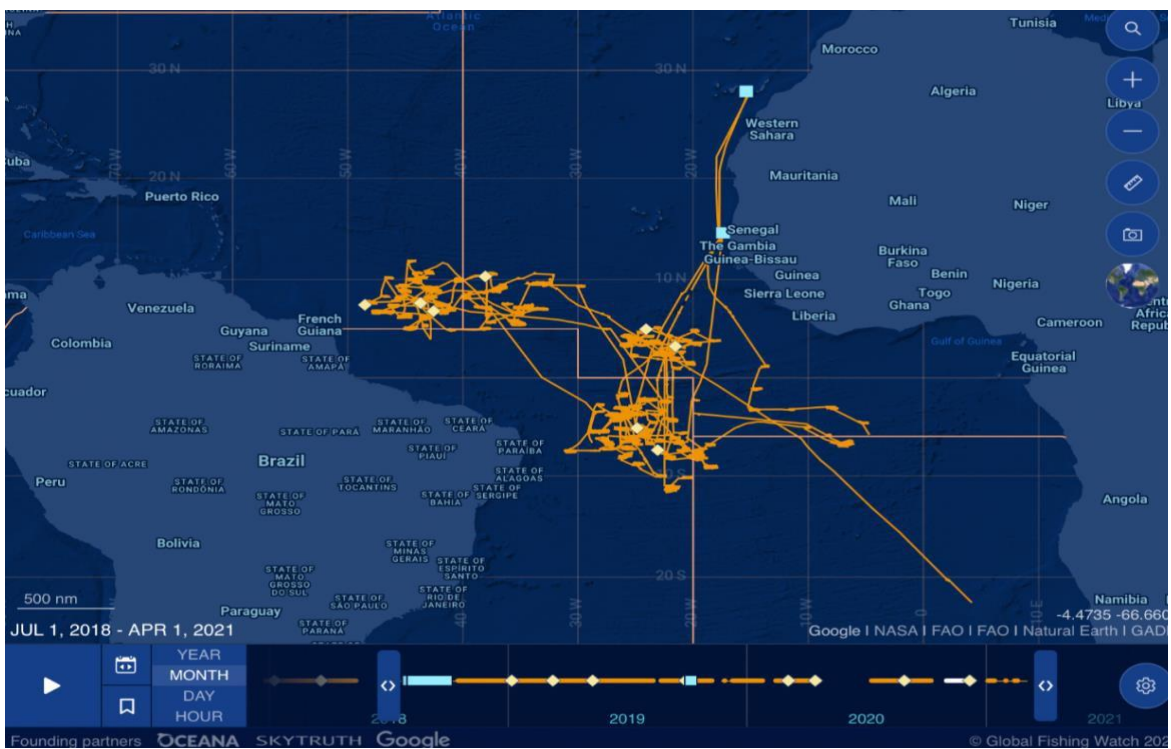


Image of a hammerhead shark on board JIN SHENG 7





Image of a dolphin on board JIN SHENG 7



Screenshot taken from a video showing a false killer whale on board JIN SHENG 7

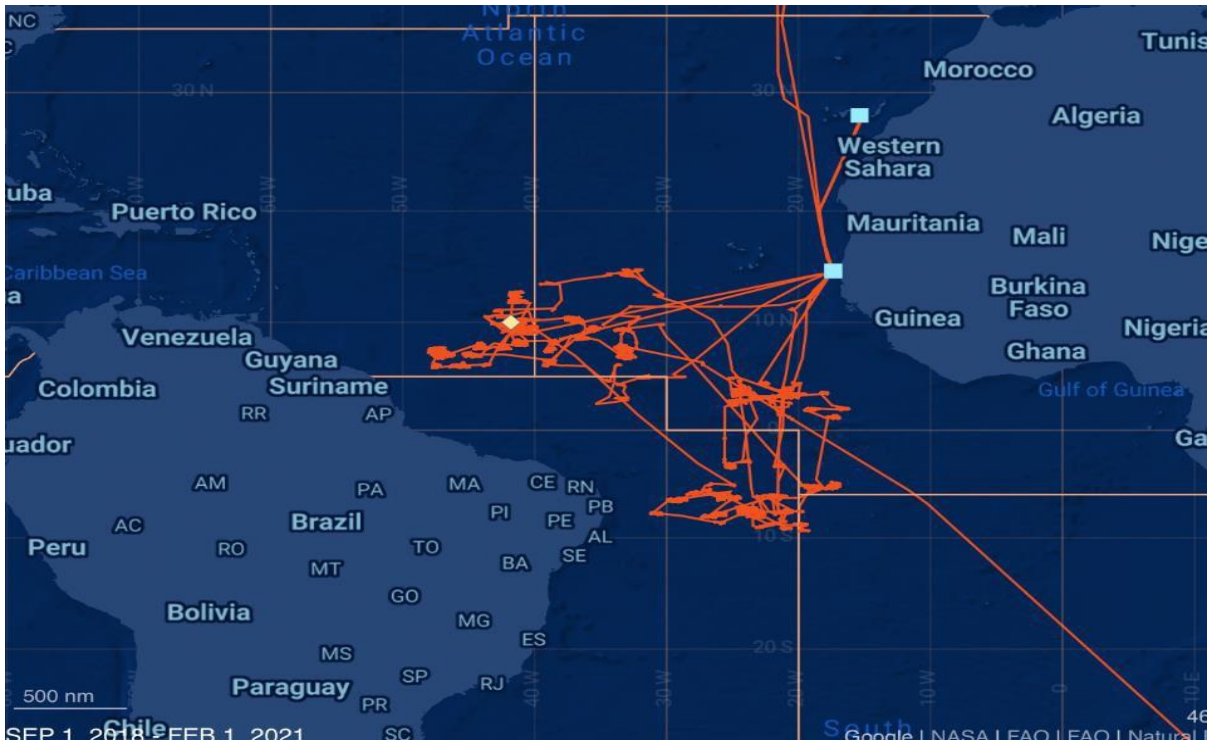




Screenshots taken from a video showing a ray being caught and killed on board JIN SHENG 7



CHANG RONG 1 fishing area September 2018 to January 2021 (Global Fishing Watch)



CHANG RONG 5 fishing area November 2018 to September 2020 (Global Fishing Watch)





Images of sharks being caught, and finned, on board CHANG RONG 5















Image of turtle reportedly caught on CHANG RONG 5



Image appearing to show the injured finger of a crew member on board CHANG RONG 5





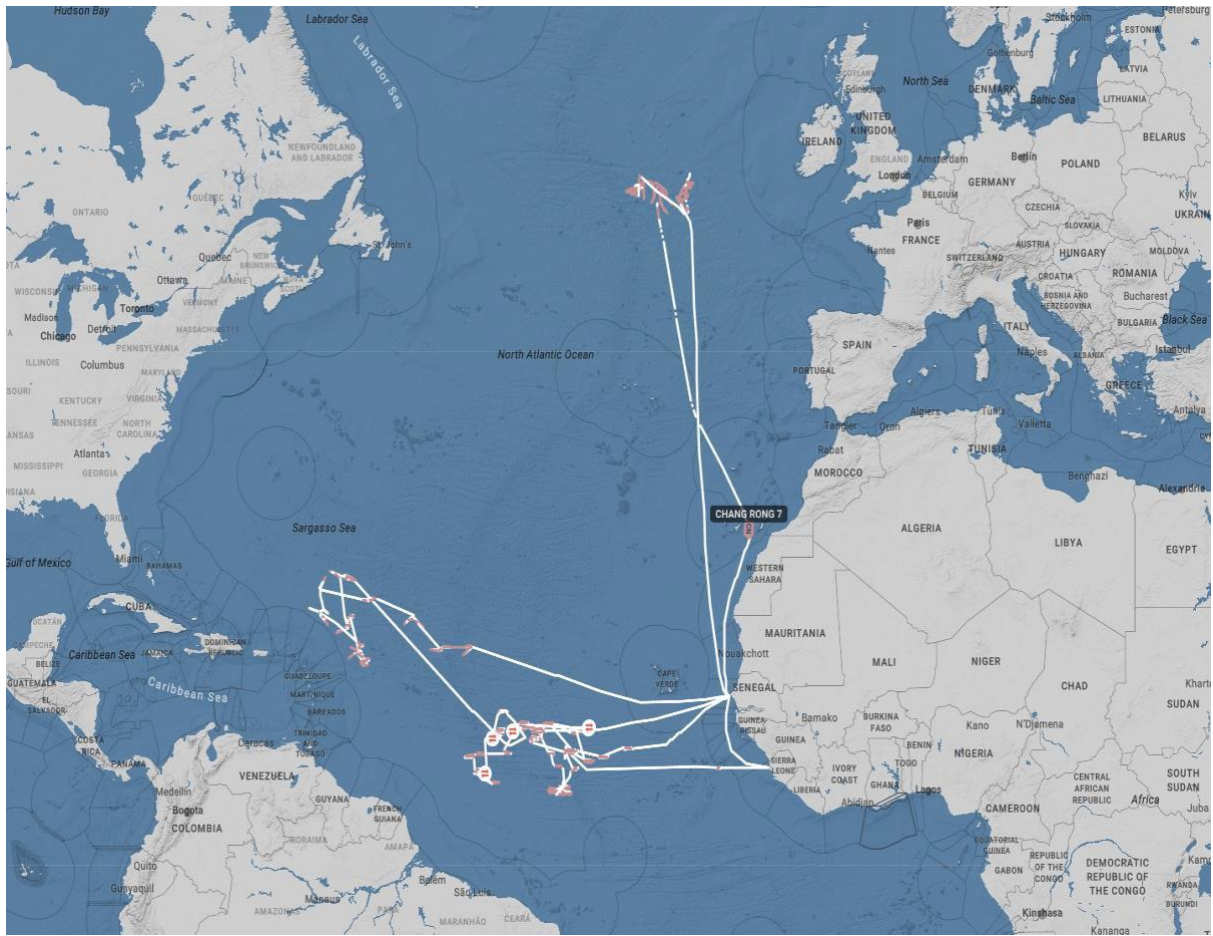




Image showing crew at sea on a 'dinghy' style vessel, potentially during a transfer between vessels



CHANG RONG fishing area October 2021 to July 2022 (Starboard)



**List of trans-shipments between CNFC vessels and reefers that returned to key market and processing States**

| <i>Date of suspected trans-shipment</i> | <i>Fishing vessel</i> | <i>Reefer vessel (Name and flag-state at time of trans-shipment, IMO)</i>  | <i>Current beneficial owner of reefer (Company name, nationality)</i> | <i>Unique ports of interest visited by reefer following trans-shipment</i>   |
|---|-----------------------|--|---|--|
| 24/04/2019                              | CHANG RONG 5          | TUNA QUEEN (Panama; IMO: 9940693)  | United Japan Corp (Japan)   | 02/07/19 - Busan ( <b>Korea</b> );<br>10/07/19 - Shimizu ( <b>Japan</b> )  |
| 26/04/2019                              | JIN SHENG 7           | TUNA QUEEN (Panama; IMO: 9940693)  | United Japan Corp (Japan)   | 02/07/19 - Busan ( <b>Korea</b> );<br>10/07/19 - Shimizu ( <b>Japan</b> )  |
| 07/06/2020                              | JIN FENG 4            | HSIANG HAO* (Panama; IMO: 9797656)<br><br>*vessel now called ORANGE FROST and flying flag of Curacao according to IHS Sea Web                              | Seatrade Groningen BV (Netherlands)                                   | 23/08/20 - Kaohsiung ( <b>Chinese Taipei</b> );<br>29/08/20 - Shimizu ( <b>Japan</b> )   |
| 08/06/2020                              | CHANG RONG 5          | HSIANG HAO* (Panama; IMO: 9797656)<br><br>*vessel now called ORANGE FROST and flying flag of Curacao' according to IHS Sea Web                             | Seatrade Groningen BV (Netherlands)                                   | 23/08/20 - Kaohsiung ( <b>Chinese Taipei</b> );<br>29/08/20 - Shimizu ( <b>Japan</b> )   |
| 14/08/2020                              | JIN SHENG 7           | HAI FENG 895* (Panama; IMO: 8814237)<br><br>*vessel now called FENG 95 and flying flag of St Kitts and Nevis - Status 'Broken up' according to IHS Sea Web | BBN Shipmanagement Pvt Ltd (India)                                    | 22/08/20 - Tema ( <b>Ghana</b> );<br>02/08/20 - Abidjan ( <b>Côte d'Ivoire</b> ); 14/09/20 - Dakar ( <b>Senegal</b> )  |
| 16/08/2020                              | JIN FENG 4            | HAI FENG 895* (Panama; IMO: 8814237)<br><br>*vessel now called FENG 95 and flying flag of St Kitts and Nevis - Status 'Broken up' according to IHS Sea Web | BBN Shipmanagement Pvt Ltd (India)                                    | 22/08/20 - Tema ( <b>Ghana</b> );<br>02/08/20 - Abidjan ( <b>Côte d'Ivoire Coast</b> ); 14/09/20 - Dakar ( <b>Senegal</b> )  |
| 23/11/2020                              | JIN SHENG 7           | FENG LU (Panama; IMO: 9003158)   | Tillage Sea Pte Ltd (Singapore)                                       | 23/03/21 - Shimizu ( <b>Japan</b> )  |
| 24/11/2020                              | JIN FENG 4            | FENG LU (Panama; IMO: 9003158)   | Tillage Sea Pte Ltd (Singapore)                                       | 23/03/21 - Shimizu ( <b>Japan</b> )  |
| 24/03/2021                              | JIN FENG 1            | IBUKI (Panama; IMO: 9666481)   | Shinko Kaiun Co Ltd - Tokyo (Japan)                                   | 11/05/21 - Port Louis ( <b>Mauritius</b> ); 17/06/21 - Shimizu ( <b>Japan</b> ); 27/06/21 - Kawasaki ( <b>Japan</b> );<br>27/07/21 - Kaohsiung ( <b>Chinese Taipei</b> ) |

|            |              |                                   |                                     |   |
|------------|--------------|-----------------------------------|-------------------------------------|---|
| 07/02/2022 | JIN FENG 3   | CHIKUMA (Panama; IMO: 9666493)    | Eikyo Marine Inc (Japan)            | 04/04/22 - Port Louis ( <b>Mauritius</b> ); 08/06/22 - Shimizu ( <b>Japan</b> ); 18/07/22 - Kawasaki ( <b>Japan</b> ); 24/07/22 - Busan ( <b>Korea</b> ); 31/07/22 - Kaohsiung ( <b>Chinese Taipei</b> )  |
| 07/03/2022 | JIN FENG 1   | CHIKUMA (Panama; IMO: 9666493)    | Eikyo Marine Inc (Japan)            | 08/06/22 - Shimizu ( <b>Japan</b> ); 18/07/22 - Kawasaki ( <b>Japan</b> ); 24/07/22 - Busan ( <b>Korea</b> ); 31/07/22 - Kaohsiung ( <b>Chinese Taipei</b> )  |
| 01/04/2022 | CHANG RONG 7 | IBUKI (Panama; IMO: 9666481)      | Shinko Kaiun Co Ltd - Tokyo (Japan) | 19/05/22 - Shimizu ( <b>Japan</b> ); 26/06/22 - Kawasaki ( <b>Japan</b> ); 04/07/22 - Kaohsiung ( <b>Chinese Taipei</b> )   |
| 03/05/2022 | CHANG RONG 7 | CHIKUMA (Panama; IMO: 9666493)    | Eikyo Marine Inc (Japan)            | 08/06/22 - Shimizu ( <b>Japan</b> ); 18/07/22 - Kawasaki ( <b>Japan</b> ); 24/07/22 - Busan ( <b>Korea</b> ); 31/07/22 - Kaohsiung ( <b>Chinese Taipei</b> )  |
| 16/01/2023 | CHANG RONG 7 | CHITOSE (Singapore; IMO: 9666508) | United Japan Corp (Japan)           | 28/01/23 - Cristobal ( <b>Panama</b> ); 30/01/23 - Colon ( <b>Panama</b> ); 31/01/23 - Paraiso ( <b>Panama</b> ); 01/03/23 - Shimizu ( <b>Japan</b> ); 21/04/23 - Shigei ( <b>Japan</b> ); 22/04/23 - Onomichi-itozaki ( <b>Japan</b> ); 30/04/23 - Shimizu ( <b>Japan</b> ); 08/05/23 - Kaohsiung ( <b>Chinese Taipei</b> ); 16/04/23 - Singapore ( <b>Singapore</b> ) |
| 17/01/2023 | JIN FENG 3   | CHITOSE (Singapore; IMO: 9666508) | United Japan Corp (Japan)           | 01/03/23 - Shimizu ( <b>Japan</b> ); 21/04/23 - Shigei ( <b>Japan</b> ); 22/04/23 - Onomichi-itozaki ( <b>Japan</b> ); 30/04/23 - Shimizu ( <b>Japan</b> ); 08/05/23 - Kaohsiung ( <b>Chinese Taipei</b> ); 16/04/23 - Singapore ( <b>Singapore</b> )   |
| 18/01/2023 | CHANG RONG 5 | CHITOSE (Singapore; IMO: 9666508) | United Japan Corp (Japan)           | 01/03/23 - Shimizu ( <b>Japan</b> ); 21/04/23 - Shigei ( <b>Japan</b> ); 22/04/23 - Onomichi-itozaki ( <b>Japan</b> ); 30/04/23 - Shimizu ( <b>Japan</b> ); 08/05/23 - Kaohsiung ( <b>Chinese Taipei</b> ); 16/04/23 - Singapore ( <b>Singapore</b> )   |

|            |              |                                   |                           |  |
|------------|--------------|-----------------------------------|---------------------------|--|
| 14/02/2023 | CHANG RONG 7 | HARIMA (Panama; IMO: 9819923)     | United Japan Corp (Japan) | 03/04/23 - Shimizu ( <b>Japan</b> ); 19/05/23 - Kawasaki ( <b>Japan</b> ); 20/05/23 - Shimizu ( <b>Japan</b> ) |
| 15/02/2023 | JIN FENG 1   | HARIMA (Panama; IMO: 9819923)     | United Japan Corp (Japan) | 03/04/23 - Shimizu ( <b>Japan</b> ); 19/05/23 - Kawasaki ( <b>Japan</b> ); 20/05/23 - Shimizu ( <b>Japan</b> ) |
| 16/02/2023 | JIN FENG 3   | HARIMA (Panama; IMO: 9819923)     | United Japan Corp (Japan) | 03/04/23 - Shimizu ( <b>Japan</b> ); 19/05/23 - Kawasaki ( <b>Japan</b> ); 20/05/23 - Shimizu ( <b>Japan</b> ) |
| 17/02/2023 | CHANG RONG 5 | HARIMA (Panama; IMO: 9819923)     | United Japan Corp (Japan) | 03/04/23 - Shimizu ( <b>Japan</b> ); 19/05/23 - Kawasaki ( <b>Japan</b> ); 20/05/23 - Shimizu ( <b>Japan</b> ) |
| 06/04/2023 | CHANG RONG 5 | TUNA QUEEN (Panama; IMO: 9940693) | United Japan Corp (Japan) | 22/05/23 - Kawasaki ( <b>Japan</b> ); 23/05/23 - Shimizu ( <b>Japan</b> )                                      |
| 18/04/2023 | JIN FENG 3   | TUNA QUEEN (Panama; IMO: 9940693) | United Japan Corp (Japan) | 22/05/23 - Kawasaki ( <b>Japan</b> ); 23/05/23 - Shimizu ( <b>Japan</b> )                                      |



Image from crew member that appears to depict tuna being transferred from JIN FENG 4 to a reefer believed to be HSIANG HAO (call sign 'HOFD')



## **B. EJF – Additional information on possible IUU activities of Chinese Vessels**

**ENVIRONMENTAL  
JUSTICE  
FOUNDATION (EJF)**

**14 July 2023**

### **Vessel Activity Notification**

#### **Allegations of potential illegal, unreported and unregulated (IUU) fishing on vessels belonging to the ‘Dalian Ocean Fishing Co Ltd’ operating in the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention area**

The Environmental Justice Foundation (EJF) exists to protect the natural world and defend our basic human right to a secure environment.

EJF works internationally to inform policy and drive systemic, durable reforms to protect our environment and defend human rights. We investigate and expose abuses and support environmental defenders, Indigenous peoples, communities and independent journalists on the frontlines of environmental injustice. Our campaigns aim to secure peaceful, equitable and sustainable futures.






EJF is committed to combating illegal, unreported and unregulated (IUU) fishing. To this end, EJF gathers information on fishing vessels’ activities through conducting interviews with former crew from fishing vessels and through the use of softwares such as ExactEarth, Global Fishing Watch and Starboard, that allow for the observation of vessels equipped with an Automatic Identification System (AIS).

#### **Introduction**

EJF has been made aware of allegations of IUU fishing offences occurring on board a number of vessels under the ownership of the ‘Dalian Ocean Fishing Co Ltd’ operating predominantly in the ICCAT Convention Area. It is alleged by former crew members who have worked on the vessels detailed in this alert (*LONG XING 621, 622, 625, 627, 628*) that they have witnessed or engaged in potential destructive and IUU fishing offences including shark finning and the capture of charismatic species such as dolphins and false killer whales. It should be noted that all the vessels in this alert are reportedly currently licensed to operate in the ICCAT Convention Area and were reportedly also licensed to do so when the alleged offences occurred.

This Vessel Activity Notification, based on crew member testimony, photographic and filmed evidence, AIS data and open-source intelligence, provides detailed information regarding the reported potential IUU fishing offences on board vessels belonging to the *LONG XING* fleet.

### Vessel identities<sup>1</sup>

| <i>Name</i>   | <i>IMO</i> | <i>MMSI</i> | <i>Beneficial Owner</i>     | <i>Gear Type<sup>2</sup></i> | <i>ICCAT No.<sup>3</sup></i> | <i>Flag</i>  |
|---------------|------------|-------------|-----------------------------|------------------------------|------------------------------|--|
| LONG XING 621 | 8909769    | 412201808   | Dalian Ocean Fishing Co Ltd | Longlines                    | AT000CHN00088                | China<br>   |
| LONG XING 622 | 8915158    | N/A         | Dalian Ocean Fishing Co Ltd | Longlines                    | AT000CHN00089                | China<br>   |
| LONG XING 625 | 9036777    | 412201812   | Dalian Ocean Fishing Co Ltd | Longlines                    | AT000CHN00091                | China<br>   |
| LONG XING 627 | 9016258    | 412201815   | Dalian Ocean Fishing Co Ltd | Longlines                    | AT000CHN00093                | China<br>  |
| LONG XING 628 | 9016246    | 412201816   | Dalian Ocean Fishing Co Ltd | Longlines                    | AT000CHN00094                | China<br> |

<sup>1</sup> Information sourced from [IHS-Seaweb](#) (subscription required), unless specified otherwise. Accessed 13.7.2023.

<sup>2</sup> Information obtained from the ICCAT Record of Vessels, available [here](#).

<sup>3</sup> *Ibid.*

**Table 1.** Summary of the number of crew members interviewed on each vessel, and the cumulative dates on board.

| <i>Vessel name</i> | <i>No. of fishers interviewed</i> | <i>Dates on board</i>          |
|--------------------|-----------------------------------|--------------------------------|
| LONG XING 621      | 3                                 | September 2019 - November 2020 |
| LONG XING 622      | 1                                 | 2017 - 2019                    |
| LONG XING 625      | 2                                 | September 2018 - October 2020  |
| LONG XING 627      | 2                                 | July 2018 - October 2020       |
| LONG XING 628      | 1                                 | September 2018 - November 2020 |

### Vessel activities

The below section provides an overview of the alleged IUU fishing and human rights offences for each vessel (**Table 2** summarizes the potential breaches of ICCAT Conservation and Management Measures (CMMs)). Where possible, testimony received from crew members has been corroborated through visual evidence provided (e.g., photos of the crew on board, passports, contracts, etc.) and/or through vessel tracking software.

**Table 2.** Summary of potential breaches of ICCAT CMMs by *LONG XING* fleet.

| <i>Potential breaches of ICCAT CMMs</i>   |
|---|
| ICCAT Recommendation 04-10 concerning the conservation of sharks caught in association with fisheries managed by ICCAT (CMM 04-10);                     |
| ICCAT Recommendation 09-07 on the conservation of Thresher sharks caught in association with fisheries in the ICCAT convention area (CMM 09- 07);       |
| ICCAT Recommendation 10-07 on the conservation of Oceanic whitetip shark caught in association with fisheries in the ICCAT convention area (CMM 10-07); |
| ICCAT Recommendation 10-08 on Hammerhead sharks (family <i>sphyrnidae</i> ) caught in association with fisheries managed by ICCAT (CMM 10-08).          |
| ICCAT Recommendation 16-15 on trans-shipment (CMM 16-15) <sup>4</sup>   |

### **LONG XING 621**

EJF spoke to three crew members who worked on board the *LONG XING 621* between September 2019 and November 2020. During the period that the crew members were on board *LONG XING 621*, the vessel operated primarily in the Atlantic Ocean, FAO areas 34 and 47 (see **Appendix 1**).

All three crew reported the capture and finning of a variety of species of shark whilst on board the vessel - naming blacktip sharks, blue sharks, great white sharks, hammerhead sharks, oceanic whitetip sharks and thresher sharks. It was said that as many as 40 or 50 sharks could be caught in a day: “We took only the fins and threw away the bodies. There were also some sharks that we took the body too, but only a few of them, we used it as bait. Mostly we threw them away”.

Crew members allege that fins were sometimes dried, and sometimes frozen whilst wet - apparently fetching a higher price when dry: “After we bundled them, we usually stored them in the freezer. Other than that, we also dried them onboard because the captain said that the price was so much higher if we sold them dry. But if we did not have enough time to dry them, we just sold them fresh from the freezer”.

<sup>4</sup> Repealed and replaced by ICCAT Recommendation 21-15 on trans-shipment (CMM 21-15).

Fins were reportedly hidden, so as to avoid detection during at sea inspections: “Yes of course we hid them, we certainly did. We hid them under the pole, in the corner, we covered them that’s for sure. Because there were inspections at sea. We were afraid to get caught, so we hid them”. Fins were reportedly transferred to a vessel called *LISBOA* (now *KIKI*), which has a track record of collecting shark fins from vessels in the region.<sup>5</sup>

The capture of dolphins and whales was also reported. For dolphins, it is alleged that the captain would harpoon them himself when they swam alongside the vessel. It is said that the teeth were taken (presumably as jewellery) and the bodies would then be either discarded, or used as bait to catch sharks. For whales, it is said that again that teeth were taken: ‘We usually threw away the body [of the whale] or took it as bait and took its teeth to be sold. They (presumably the Chinese crew) said the price of whale’s teeth was really high in China’.

Images of sharks and dolphins on board the vessel can be seen in **Appendix 2**.

### ***LONG XING 622***

EJF spoke to one crew member who worked on board the *LONG XING 622* between 2017 and 2019. During the period that the crew member was on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 34 and 47 (see **Appendix 3**).

The crew member reported the capture and finning of a variety of species of sharks whilst on board the vessel - naming blue sharks, great white sharks, hammerhead sharks and thresher sharks: “If we needed the body and fins, we only cut its head. If we did not need the body, we threw them away and took only the fins. We mostly took the fins only”.

Fins were reportedly hidden under tuna and in the bait storage area of the boat, sorted depending on their size: “We packed them based on their sizes. For the small ones we put them into sacks and stored them in the freezer. For the bigger ones, we stocked them in baskets and then we tied and weighed them”. Fins were reportedly transferred at sea to *LISBOA*.

The capture of dolphins was also reported. It is alleged that the Chinese chef would harpoon them, with their teeth taken and flesh used as bait: “If there were dolphins there would be no tuna because the dolphins ate the bait instead. The crew would be happy if there’s no catch, but the captain was not happy, because he considers dolphins as pests”.

### ***LONG XING 625***

EJF spoke to two crew members who worked on board the *LONG XING 625* between September 2018 and October 2020. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 34 and 47 (see **Appendix 4**).

The crew members reported the capture and finning of a variety of species of sharks whilst on board the vessel - naming blue sharks, great white sharks, hammerhead sharks, shortfin mako sharks, thresher sharks and tiger sharks: “We took the fins and cut the body into pieces as bait. Usually we took only the fins, this applied to almost any kind of shark that we caught. For great white sharks and blue sharks there were some we took the body and some others we threw away the body, but for hammerhead sharks and tiger sharks, we threw away all the bodies because the meat was too hard. Usually if the freezer was already full, we either used the blue shark’s bodies as bait or just threw them away”.

Fins were reportedly traded both dry and wet: “Firstly, we collected them all together in one basket, then pressed them and tied them using rope and weighed them, usually they weighed 80 kg, that was for the wet fins. For dried fins, we usually used upper fins and the small lower fins. We cleaned them, soaked them with hot water, peeled the skin and then sun dried them”. Both crew members stated that there were no real efforts to hide the fins, with one stating that there were “never” inspections at sea.

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<sup>5</sup> Information retrieved from the 2022 ICCAT Compliance Committee (COC) meeting and associated documents, specifically COC-312A, available [here](#).

Fins were reportedly transferred whilst at sea to the vessel *LISBOA*.

Images and video stills of sharks on board the vessel can be seen in **Appendix 5**.

### ***LONG XING 627***

EJF spoke to two crew members who worked on board the *LONG XING 627* between July 2018 and October 2020. During the period that the crew members were on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 31 and 34 (see **Appendix 6**).

The crew members reported capturing “*all kinds of sharks*” during their time on board, however only identified hammerhead sharks by name. Images and videos submitted by crew also appear to show a whale shark being captured. They stated that they were told to primarily take the fins of sharks, and to keep a certain tonnage of bodies, throwing away anything else once the limit had been met: “We only took the fins, sometimes we took the body and fins too. If we already caught 1,000 sharks in the freezer, we would throw away the rest and take the fins only”.

During the peak season, one crew member estimated that the vessel could capture up to 100 sharks per day. Fins would be tied with wire in 50kg bundles and stored in the freezer, behind the tuna: “The fins must be put in the back, like we were hiding them”. Both crew members stated that the fins were reportedly transferred at sea, with one recollecting that the vessel was called *LISBOA*.

Both crew members stated that three false killer whales were caught during their time on board, with the teeth taken and the body discarded.

Images and video stills of sharks on board the vessel can be seen in **Appendix 7**.

### ***LONG XING 628***

EJF spoke to one crew member who worked on board the *LONG XING 627* between September 2018 and November 2020. During the period that the crew member was on board, the vessel operated primarily in the Atlantic Ocean, FAO areas 34 and 47 (see **Appendix 8**).

The crew member reported the capture and finning of a variety of species of sharks whilst on board the vessel - naming blue sharks, great white sharks, hammerhead sharks and thresher sharks: “We usually took its fins and bodies. But for the bodies, if we already reached a certain ton we stopped taking it, we took only the fins”.

It was suggested that the vessel could catch 20-30 sharks per day, with the fins stored behind the tuna (although the crew member did not necessarily think that they were trying to hide them). The fins were reportedly transferred at sea to *LISBOA*.

The capture of dolphins and false killer whales was also reported, with the teeth being taken in both instances and the bodies discarded.

Images of sharks on board the vessel can be seen in **Appendix 9**.

## **Recommendations**

EJF recommends that the ICCAT:

- Confirm whether the vessels contained within this alert are currently authorised to operate in the ICCAT convention area, and whether they were authorised to conduct fishing operations during the periods of testimony.
- Review the information provided, and if it is determined that any or all of the vessels conducted IUU fishing and/or human rights abuses, then the ICCAT should seek to include the vessels on its list of IUU fishing vessels.

EJF recommends that the Chinese government:

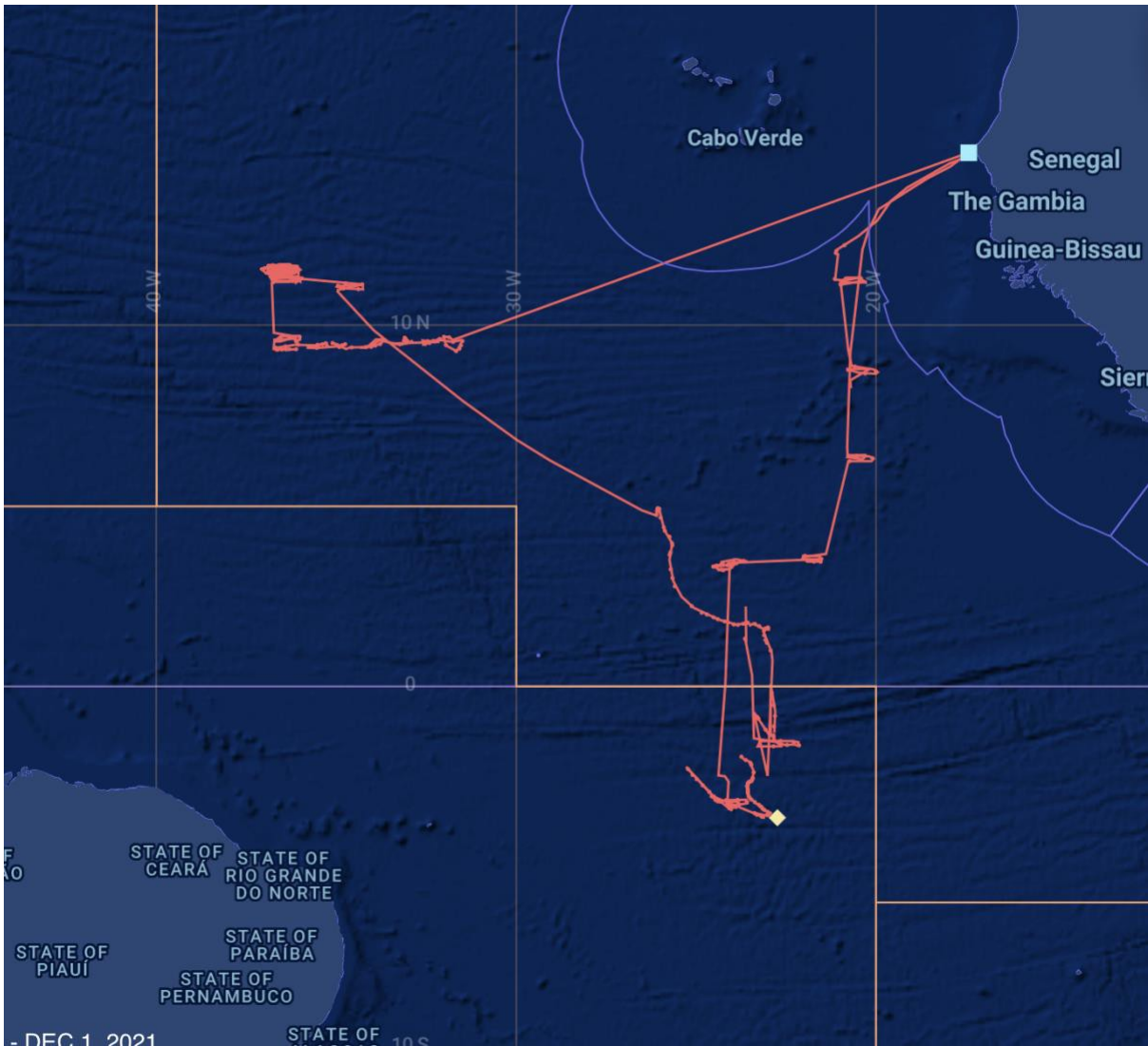
- Investigate the alleged illegal practices and trans-shipments and, if confirmed, sanction the vessels' owners/captains for the violations.
- Improve transparency in fisheries management. The Global Fisheries Transparency Coalition outlines ten transparency principles in the Global Charter for Fisheries Transparency<sup>6</sup> that are suitable for every country and can be immediately adopted. The priority for the Chinese government should be focusing on publishing organised and up-to-date lists of authorised vessels and sanction lists.
- Ensure the information on Chinese distant water fishing vessels uploaded to the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels by China is comprehensive and up to date.
- Review EJF's report *Murky Waters*<sup>7</sup> and implement the recommendations it sets out.

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<sup>6</sup> The Coalition for Fisheries Transparency. (2023). The Global Charter for Fisheries Transparency. Available [here](#).

<sup>7</sup> EJF. (2023). *Murky waters: analysis of the regulatory framework governing the distant water fishing fleet of the People's Republic of China*. Available [here](#).

*LONG XING 621* AIS tracks between September 2019 and November 2021





Images of sharks and dolphins on board *LONG XING 621*





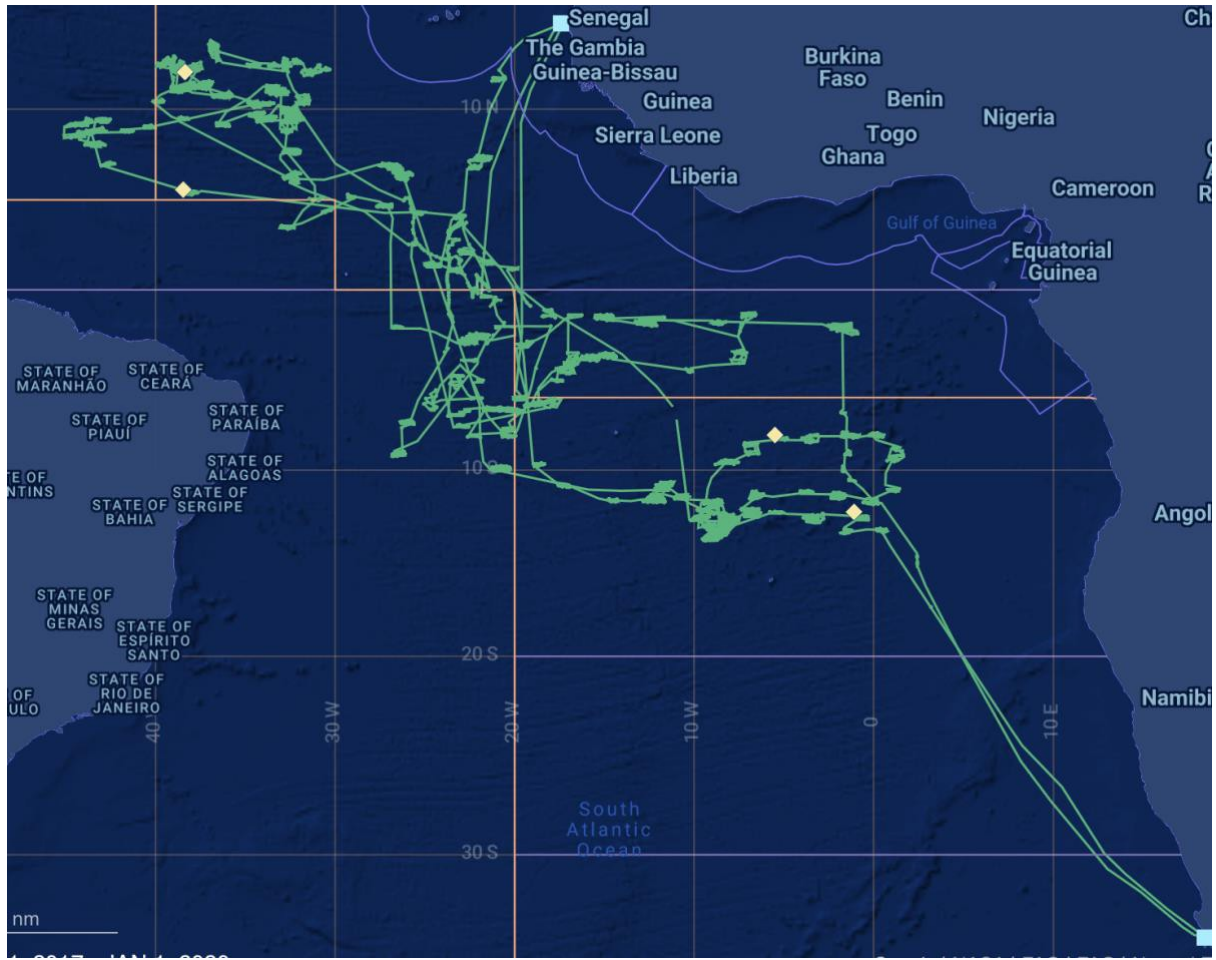








LONG XING 622 AIS tracks between 2017 and 2019







Images and video stills of sharks on board *LONG XING 625*







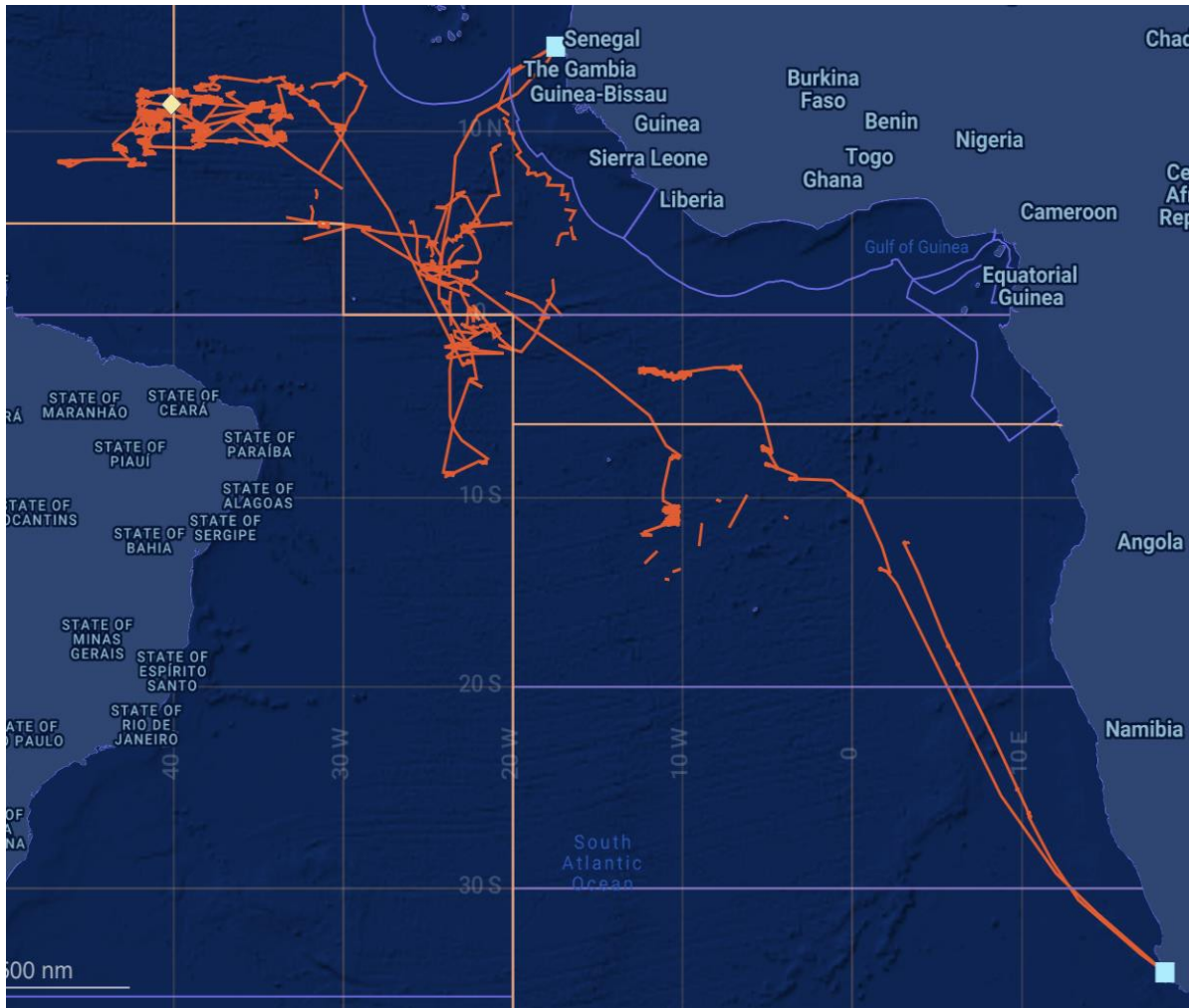








LONG XING 627 AIS tracks between July 2018 and October 2020





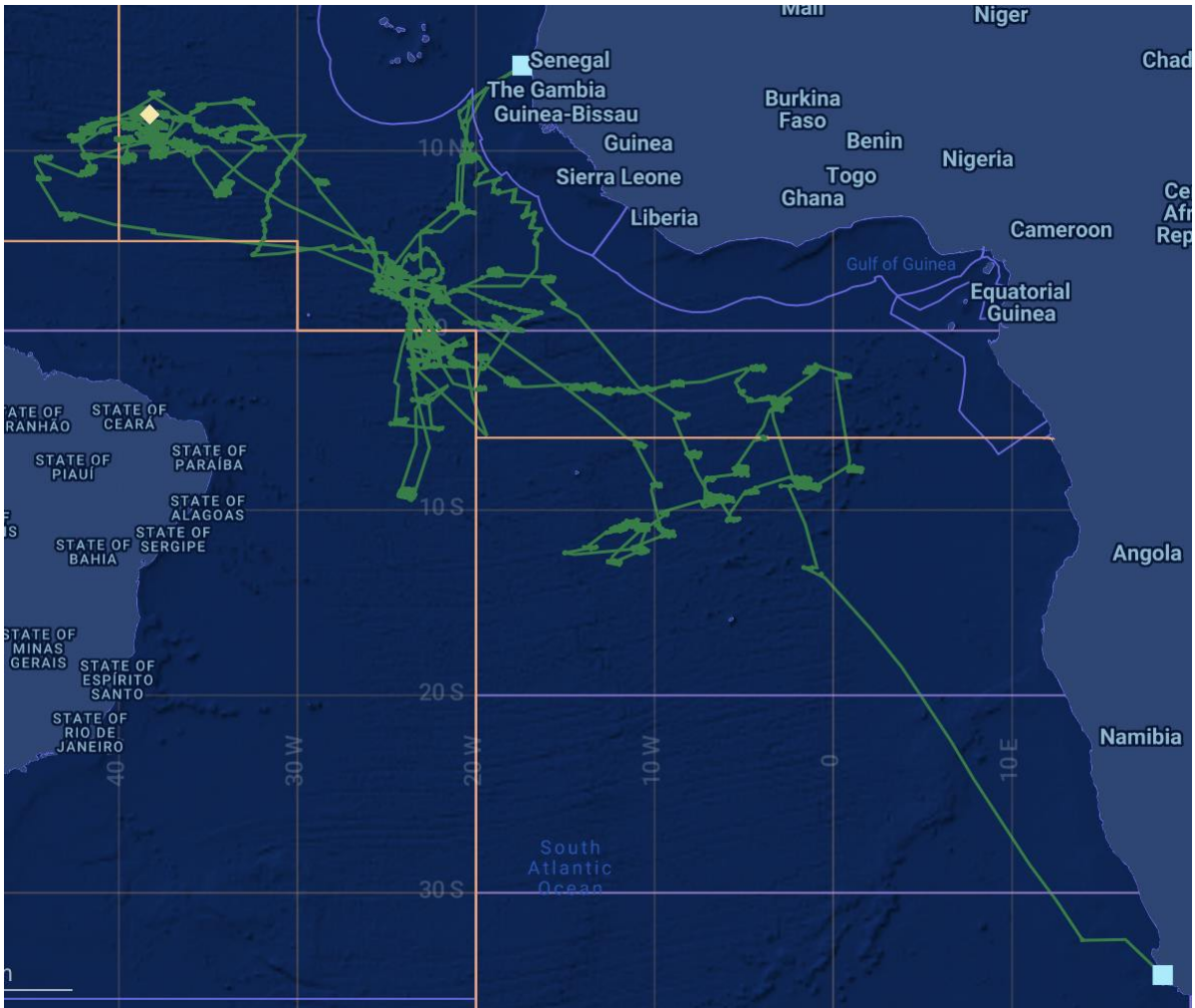
Images and video stills of sharks on board *LONG XING 627*







LONG XING 628 AIS tracks between September 2018 and November 2020





Images of sharks on board *LONG XING 628*





### C. Sharks Advocates International –Shark Reporting Gap Analysis

#### **Bridging the Gaps that Hinder Shark Conservation**

*(information submitted to the ICCAT Compliance Committee, 16 July 2023)*

Shark Advocates International (a project of The Ocean Foundation), Ecology Action Centre, and Shark Trust maintain a special focus on elasmobranchs (sharks and rays) because of vulnerability that stems from their relatively low reproductive rates as well as their traditionally low priority among fishery managers. Our organizations operate in a coalition (known as the Shark League) toward safeguarding elasmobranchs through the International Commission for the Conservation of Atlantic Tunas (ICCAT). We appreciate the efforts of ICCAT's Compliance Committee to evaluate Parties' performance in implementing international shark fishing limits through domestic policies and improve associated processes, as such work is key to successful conservation of migratory species.

Because elasmobranchs are considered both commodities and wildlife, governments' approaches to fisheries and environment treaty obligations are often misaligned. Increased scrutiny of these policies is essential to ensuring their effective implementation and, ultimately, population rebuilding. To that end, the Shark League is producing a gap analysis that examines the effects of Atlantic shark and ray protection measures under various treaties, primarily ICCAT and the Convention on International Trade in Endangered Species (CITES). We are evaluating the performance of ICCAT Contracting Parties and Cooperators (CPCs) with respect to various obligations for CITES-listed elasmobranchs, highlighting key gaps between concrete restrictions and conservation needs, and recommending priority improvements at national and international levels. This document includes preliminary findings from our ongoing analysis that we hope will assist in the Compliance Committee's November 2023 focused examination of the information contained within CPCs' "Shark Check Sheets."

#### **Sharks in common**

All of the shark measures adopted by ICCAT address CITES-listed species. We appreciate the eight CPCs that mentioned CITES obligations in their 2022 ICCAT Compliance Committee Shark Check Sheets: Barbados, Curaçao, EU (Portugal), Liberia, Morocco, Senegal, Costa Rica, and Guyana.

|               | <i>Bigeye thresher</i> | <i>Oceanic whitetip</i> | <i>Hammerheads</i> | <i>Silky shark</i> | <i>Porbeagle shark</i> | <i>Shortfin mako</i> | <i>Blue shark</i> |
|---------------|------------------------|-------------------------|--------------------|--------------------|------------------------|----------------------|-------------------|
| ICCAT limits  | 2009                   | 2010                    | 2010               | 2011               | 2015                   | 2017                 | 2019              |
| CITES listing | 2016                   | 2013                    | 2013               | 2016               | 2013                   | 2019                 | 2022              |

#### **Inadequate reporting**

Lack of information on shark fishing and trade is a primary and persistent hurdle to conservation noted in countless CITES and ICCAT documents. In these and many other realms, governments' reports are too often incomplete, inconsistent, late, or non-existent. We strongly support ICCAT increasing scrutiny of the implementation of shark-specific measures through Compliance Committee Shark Check Sheet solicitation and review process and hope that our contributions are useful.

While non-reporting is an obvious problem, we recognize the difficulties in determining if increased landings reflect higher fishing pressure or simply better reporting, and similarly, if lacking records are the result of compliance with restrictions or depletion of the population.



## General ICCAT concerns

### *Shark Check Sheets*

We recognize the overall increase in the number, clarity, and detail associated with the Shark Check Sheets since 2019 and look forward to thorough evaluation and discussion of the 2023 submissions at the November Compliance Committee meeting. While we recognize an overall improvement increase in the clarity and detail in Shark Check Sheet input since 2019, analysis of the 2022 Shark Check Sheets reveals that many CPCs continue to fall far short of implementation and reporting requirements and/or offer responses that are too often vague, contradictory, and otherwise inadequate. These persistent problems seriously hinder compliance monitoring and, in turn, further jeopardize shark population health.

We are particularly concerned that 11 CPCs submitted their 2022 Shark Check Sheets late while eight failed to submit them at all: Angola, Côte d'Ivoire, The Gambia, Grenada, Guinea Bissau, Guinea (Rep.), Mauritania, and notably Namibia, which ranks fourth in shark landings reported to ICCAT.

Many CPCs still lack binding domestic measures to implement ICCAT shark Recommendations and/or continue to fail to report on such policies in sufficient detail. The following CPCs have extensive gaps with respect to citing and/or explaining relevant domestic shark regulations: Barbados, Côte d'Ivoire, Curaçao, El Salvador, Ghana, Honduras, Liberia, Nicaragua, Nigeria, São Tomé e Príncipe, Trinidad and Tobago, Costa Rica, Guyana, Suriname, St Vincent and the Grenadines, and Venezuela.

In addition, a great number of CPCs, despite repeated guidance to the contrary, continue to include invalid excuses in order to avoid submitting the required information:

- 43% of CPCs (21 of 49) submitted answers that were contradictory, vague, and insufficiently detailed, to understand if corresponding domestic management is in place;
- 43% of CPCs also continue to claim “no target fishing” or “no fishing” for at least one species, even though the Compliance Committee Chair has been notifying CPCs for several years that these responses are not acceptable. In particular, Algeria, Cabo Verde, St Pierre et Miquelon, Gabon, Guatemala, Guinea Equatorial, Senegal, Sierra Leone, and Suriname use this excuse extensively;
- 22% of CPCs (11 of 49) claim that at least one managed shark species does not occur or is ‘not caught’ in their waters as a reason to omit information, even though the SCRS has yet to confirm any CPC exemptions on this basis: Algeria, Barbados, Brazil, Ghana, Honduras, Iceland, Norway, South Africa, Tunisia, Costa Rica, Guyana<sup>1</sup>;
- several CPCs such as Guatemala, Honduras, Nigeria, Philippines, and Bolivia report that they have no ICCAT vessels or do not fish in the Convention area (another unacceptable response).

To address these problems, the Compliance Committee should:

- clarify for CPCs that reporting of Task 1 catch data and relevant domestic regulations is required, even when shark interactions are incidental;
- stress to CPCs, even those without ICCAT vessels, their obligations to provide details on binding domestic regulations for the implementation of all ICCAT measures, including every shark Recommendation;
- elaborate on guidance for proper Shark Check Sheet responses with respect to:
  - CPCs without active ICCAT vessels active, and
  - ICCAT shark species caught in artisanal and/or inshore fleets, and non-pelagic gear;

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<sup>1</sup> We note that two Parties (Norway, Tunisia) have made an effort to submit this request officially for consideration.



- work with the SCRS to develop a process for validating CPCs' exemption requests based on claims that species or populations do not occur in their waters, as well as broader conclusions about exemptions for CPCs whose vessels do not fish in one the relevant hemispheres;
- prioritize focused efforts to ensure CPCs fulfill shark reporting requirements; and
- suspend CPCs' fishing rights until shark reporting requirements are met, in line with Rec. 11-15.

To support continuing improvements over time, the ICCAT Secretariat should review data reporting for all sharks managed under ICCAT and identify the CPCs that have failed to report shark catches, including discards, as required by Rec. 04-10.

### ***Discards***

Also troubling is the low level of reporting discarded sharks, despite ICCAT measures that ban the retention or encourage the release of at least nine shark species. Only six ICCAT Parties report more than 100 t of shark discards over the last decade. In particular, discards reported by the EU, the leading CPC for shark landings (by far) over the last decade, would be expected to far exceed those reported by the 11th ranked US, and yet they do not (1796t vs 1280 t, 2012-2021).

We encourage all CPCs to focus on improving discard reporting and ask that the Compliance Committee:

- specifically question the CPCs ranking in the top ten for ICCAT shark landings that report no discards at all (zero or blank): (Namibia, Morocco, Ghana, Senegal, and Belize); and
- remind CPCs that their Task 1 catch reporting obligations apply, not only to landings, but also to discards, including the condition of the shark (live or dead).

### ***Shark finning***

A November 2022 *Mongabay* exclusive<sup>2</sup> detailed incidents of shark finning on vessels from Dalian Ocean Fishing (DOF), a China-based tuna firm that includes seven longline vessels operating in the Atlantic Ocean. According to this comprehensive article, a deckhand who worked on one of the Atlantic vessels said roughly 30 sharks were caught per day and 90% of the finned carcasses were discarded. Almost every DOF deckhand interviewed said their boat had transshipped shark fin with other boats in violation of ICCAT rules. Deckhands from three DOF Atlantic longliners recounted fin transfers to vessels outside DOF's fleet. Deckhands from two of those longliners said they had offloaded fins onto a vessel called the *Lisboa*; a Senegalese-flagged boat with the same name has a track record of illegal shark fin transshipments. Another DOF Atlantic longliner recalled offloading fins onto a non-DOF boat on four separate occasions.

Overall, evidence of shark finning is difficult to obtain because the current lenient monitoring standard (5% fin-to-carcass ratio) is complicated, imprecise, and otherwise difficult to enforce. We note that information submitted by several CPCs, including Mexico, Barbados, Cabo Verde, Côte d'Ivoire, El Salvador, Gabon, Guatemala, Iceland, Norway, São Tomé e Príncipe, Senegal, St Pierre et Miquelon, Trinidad and Tobago, and Guyana fails to clarify if the 5% ratio minimum standard or other enforcement standards are reflected in a specific domestic regulation. We once again stress that requiring that sharks be landed with fins naturally attached is by far the most reliable means for enforcing a finning ban. Such policies also facilitate the collection of species-specific catch data that can greatly enhance compliance monitoring and population assessment.

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<sup>2</sup> Mongabay Series: Illegal Wildlife Trade, Oceans: Shark finning rampant across Chinese tuna firm's fleet, November 1, 2022: <https://news.mongabay.com/2022/11/exclusive-shark-finning-rampant-across-chinese-tuna-firms-fleet/>

## ***Retention ban exceptions for hammerheads and silky sharks***

CPCs' reports regarding implementation of ICCAT measures for hammerhead (Rec. 10-08) and silky sharks (Rec. 11-08) and associated scrutiny by the Compliance Committee have been seriously insufficient for more than a decade, particularly with respect to information on how the CPCs taking exemptions are meeting the associated conditions (to prevent catch increases and prevent international trade). At its November meeting, the Compliance Committee should ensure in-depth discussion of the exemptions but, in the broader context, allowing them to continue is very difficult to justify.

### **Species-specific concerns**

#### ***Hammerhead sharks (Sphyrna spp.)***

A particular conservation challenge for hammerheads stems from their semi-pelagic nature and resulting capture in both coastal and pelagic fisheries. As CPCs tend to manage coastal fisheries separately, most governments report only a fraction of their total hammerhead landings to ICCAT (as opposed to FAO), especially when taken in artisanal fisheries and/or demersal gear. This data gap seriously complicates efforts to monitor compliance and effects of the ICCAT measure. As mentioned, while the CITES listing is generating important data on trade in hammerhead fins, exports are tied to countries, not ocean regions.

We note that three CPCs – Trinidad and Tobago, Senegal, and Ghana – are responsible for more than 6000 t of the nearly 7500 t of landings reported since 2010 (usually by genus) and that these countries take different approaches to accounting for the exploitation.

Approximately 45% of ICCAT hammerhead landings are attributed to Ghana, with more than 1000 t reported in 2014 and about 300 t every year since. On its Shark Check Sheet, Ghana answers “Yes” to questions about implementing both the ban and its exceptions, while noting to a lack of domestic regulations. There are no CITES reports of Ghana exporting hammerheads or introducing them from the sea.

Senegal, which ranks second among ICCAT CPCs for hammerhead landings since the ICCAT measure took effect, states in its Shark Check Sheet that it is implementing the ban, that exemption is not applicable, and “it is prohibited to fish for these sharks.” Senegal cites a specific decree banning hammerhead retention and sale, while noting that entry of CITES-listed species into the international market is controlled by the Ministry of the Environment. Nevertheless, Senegal reported 444 t of smooth hammerhead landings in 2013 before reverting to genus level records that have since fluctuated between about 30 t and 243 t annually. Senegal reported exports of approximately 10 t (converted using FAO factors for meat and fins) of smooth hammerhead fins in 2015<sup>3</sup>, the year that the CITES listing for the species came into force. We encourage Senegal to resume species-specific reporting, re-evaluate the sustainability of hammerhead exports, and clarify which fisheries are subject to the domestic hammerhead ban.

Trinidad and Tobago takes an exemption to ICCAT's hammerhead ban that allows for substantial landings (3rd for tonnage among ICCAT CPCs). A national hammerhead export ban satisfies the ICCAT retention ban exemption condition and is backed up by the lack of international trade reports to CITES. An update on long-awaited revisions to the outdated national fisheries legislation (which reportedly does not allow for development of regulations to comply with many ICCAT measures) would be useful in evaluating long-term sustainability.

Côte Ivoire claims to have implemented the hammerhead ban yet regularly reports significant landings since its adoption. Most years show ICCAT landings of 10 t or less, but nearly 275 t were reported in 2017. We question if this stems from the separate management of pelagic and coastal fisheries.

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Pavitt, A., Malsch, K., King, E., Chevalier, A., Kachelriess, D., Vannuccini, S. & Friedman, K. 2021. CITES and the sea: Trade in commercially exploited CITES-listed marine species. FAO Fisheries and Aquaculture Technical Paper No. 666. Rome, FAO.

### ***Silky sharks (Carcharhinus falciformis)***

As silky sharks are more pelagic than hammerheads, ICCAT compliance monitoring of the associated ban should be less complicated. Using trade data to complement ICCAT reporting remains challenging, however, as several CPCs also fish silky sharks in the Pacific, where restrictions are more lenient.

The CITES database includes records of silky shark exports from Nicaragua, which would conflict with the ICCAT measure, but not international Pacific rules. To facilitate compliance evaluation, we encourage Nicaragua to break down their silky shark exploitation by ocean for ICCAT and develop a public NDF.

Costa Rica claims an exemption to the ICCAT silky shark measure, but - as noted above - reports substantial international trade that runs counter to the associated conditions. Determining how much of the trade involves Atlantic silky sharks subject to ICCAT rules is complicated because the CITES database does not allow for that distinction and their various NDFs aggregate Atlantic and Pacific landings. We urge Costa Rica to explain the fishery and trade split in their Shark Check Sheet.

Ghana has reportedly landed about 100 t of Atlantic silky sharks annually since 2016, increasing from nothing at the time the ICCAT measure was adopted. Ghana claims to be both implementing the ban and taking an exemption, while noting a lack of domestic limits. While recent landings are relatively high (second among CPCs), there are no CITES records of IFS or other international trade. Clarification is needed.

Whereas EU landings of Atlantic silky sharks dropped dramatically after adoption of the ICCAT measure, we are interested in learning more about the relatively low yet consistent landings that continue despite the ban.

Guyana's 2018 report of more than 300 t of silky shark landings was the highest of all CPCs in the last decade. This is the year that ICCAT reports appear to have benefited from a data reconstruction project, suggesting that significant landings may have been going on unreported in the years prior and since.

Other CPCs claiming to be implementing the silky shark ban that have reported more than a ton of annual silky shark landings to ICCAT in 2019 and 2020 include Mexico, Côte d'Ivoire, Grenada, Liberia, and São Tomé e Príncipe. All warrant explanation.

### ***Oceanic whitetip sharks (Carcharhinus longimanus)***

Mexico is the only CPC consistently reporting annual landings (apparently in the absence of national species-specific limits). Considering the breadth of the ICCAT ban and the dismal status of the species (IUCN: Critically Endangered), we see compliance by Mexico as a top priority.

Brazil reports to ICCAT more than 6 t of oceanic whitetip discards in 2017 followed by none since while annual landings of 1-7 t (2013 to 2017) were reported to FAO but not ICCAT. We believe this situation warrants greater scrutiny.

Dominica's oceanic whitetip shark landings underscore the importance of ICCAT's continued efforts to expand membership and/or cooperation from countries that are not yet CPCs.

Senegal's claim that their "industrial fishery does not target or catch" oceanic whitetip sharks is an inadequate response under ICCAT Compliance Committee rules. Elaboration is in order.

We also urge the Compliance Committee to question CPCs that submitted inadequate responses with respect to oceanic whitetip protection: Turks and Caicos, Costa Rica, Guyana, Honduras, and Nicaragua.

### ***Thresher sharks (Alopias superciliosus, Alopias vulpinus)***

ICCAT catch reporting for threshers is usually by genus, which hinders both compliance monitoring for the bigeye thresher ban (Rec. 09-07) and assessment of common thresher populations. We note concern that the US, Venezuela, and Chinese Taipei are the only CPCs to report discards of bigeye threshers since 2018. Improved reporting is vital to protecting exceptionally vulnerable bigeye threshers and ensuring sustainability of common thresher fishing.

Mexico is the only CPC that was given an allocation of 110 bigeye threshers in the ICCAT ban. Mexico claims to be implementing the measure but has yet to cite species-specific limits. A recent CITES trade review (see CITES section) lists Mexico and Senegal for sharp increases in bigeye thresher exports; neither report landings of this species to ICCAT. Mexico's exports might be sourced from the Pacific where the species is not prohibited, but this scenario is unlikely for Senegal. We urge investigation by the Compliance Committee and recommend that Mexico's allocation be officially ended, especially considering that the bigeye thresher has been identified through an ICCAT Ecological Risk Assessment as the most vulnerable Atlantic sharks with respect to risk from ICCAT fisheries.

#### ***Shortfin mako and blue sharks (*Isurus oxyrinchus* and *Prionace glauca*)***

As ICCAT limits and CITES listings for these two species are relatively new, compliance monitoring appears more challenging than for shark species that have been prohibited for many years. We are hopeful that overages of the South Atlantic blue shark TAC will soon be remedied by individual CPC allocations and that the North Atlantic shortfin mako retention ban will be extended far into the future to allow for declines to be reversed. We reiterate our concerns about inadequate discard reporting with respect to both of these species and encourage improved methods for estimating discard levels.

#### ***Manta and devil rays (*Mobula* spp.)***

Whereas CPCs have no ICCAT-mandated fishing restrictions for mobulid rays, improved reporting of encounters with these exceptionally vulnerable species is vital to their future. The vast majority of Atlantic mobulid catches reported to ICCAT occur in 2017 (see next section). Venezuela is the only CPC that reports landings; those numbers rose from zero in 2015 to 3 t in 2021. Discards were reported by several CPCs including Curaçao, El Salvador, Guatemala, and Panama. Given the exceptional vulnerability of these species, ICCAT should follow all the other tuna RFMOs and adopt a ban on retaining mobula rays along with protocols for their safe release.

#### ***Capacity building***

There are curious ICCAT reports for landings by El Salvador, Curaçao, and Guatemala of bigeye threshers, porbeagles, hammerheads, and oceanic whitetip sharks only in 2017. This year is also the only year with records of Panama discarding these same shark species and the start of a three-year period when Ghana reports landings of threshers and silky sharks. As mentioned above, the vast majority of ICCAT records (mostly discards) for mobulids were reported in 2017.

We are eager to learn if these data are related to an ICCAT-funded capacity building project<sup>4</sup> to evaluate artisanal fisheries targeting sharks in Caribbean and Central American countries. The associated report demonstrates the benefits of investing in capacity building for improved fisheries data while heightening concern about unreported exploitation in other years.

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<sup>4</sup> Arocha, F. (2019). Comprehensive study of strategic investments related to artisanal fisheries data collection in ICCAT fisheries of the Caribbean/Central American Region: Draft Final Report. SCRS/2018/114 Collect. Vol. Sci. Pap. ICCAT, 75(8): 2319-2368.



## About CITES

CITES is a global agreement with 184 Parties aimed at ensuring that international trade does not threaten the survival of plants and animals. Most CITES-listed species are included on Appendix II, which requires Parties to demonstrate that exports are legally sourced without detriment to wild populations, and to employ a permit system to track associated trade. CITES regulation extends to the landing of listed species taken on the high seas, known as “introduction from the sea” (IFS). Between 2002 and 2022, more than 150 elasmobranch species have been added to Appendix II. Eight ICCAT CPCs have taken reservations on these listings. Japan opted out of most of them. Norway, Iceland, and Guyana have four reservations each. The Republic of Korea has two. The mako listings prompted the most reservations (10 including Japan, Norway, Namibia, and South Africa).

### *CITES information relevant to ICCAT compliance*

The trade in CITES-listed shark and ray products reported to the CITES database is significantly lower than expected given global catch records and does not reflect the diversity of countries or species otherwise known to be involved. A lack of CITES trade reporting for pelagic sharks, in particular, raises concerns about potential inadequacies with regards to Parties’ implementation of CITES IFS requirements. Whereas any specimen of CITES-listed sharks taken in areas beyond national jurisdiction falls under CITES regulation, they can be reflected in CITES trade records in different ways. If vessels land them in their own flag State, they should be reported as imports from the high seas. If landed in a different country, they should be reported as exports. Belize, South Korea, Spain, and Portugal report exports of high seas commercial landings of CITES-listed sharks.

If implemented well, CITES introduction from the sea can be mutually supportive and complementary to ICCAT measures, given that Parties approving any type of international trade under IFS are to:

*(...) take into account whether or not the specimen was or will be acquired and landed:  
i) in a manner consistent with applicable measures under international law for the conservation and management of living marine resources, including those of any other treaty, convention or agreement with conservation and management measures for the marine species in question; (...)*<sup>5</sup>

More examination is needed to determine if the paucity of shark and ray international trade data in the CITES trade database reflects an effective reduction of fishing, a more temporary suspension of trade (with fishing and stockpiling continuing), a shift to domestic consumption, or unreported international trade in contravention with CITES obligations.

Nevertheless, CITES trade data and Parties’ “Non-Detriment Findings” (NDFs)<sup>6</sup> for shark species can offer information to enhance ICCAT compliance processes. In turn, ICCAT’s work on shark population status, catches, fishing practices, and compliance can be valuable for informing CITES Parties’ NDFs and evaluations of CITES implementation.

Greater transparency with respect to NDFs is widely recommended across the board. CITES does not require Parties to make their NDFs public, but has repeatedly invited Parties to share shark NDFs regionally for shared populations and generally on the CITES website<sup>7</sup>. Only four ICCAT CPCs (US, UK, Guatemala, and Costa Rica) have posted at least some of their shark NDFs on the CITES website. Seventeen ICCAT CPCs report commercial trade in CITES-listed sharks without publicly available NDFs. Japan, Canada, Panama, and Nicaragua report having NDFs for sharks, but have not made details related to export justification publicly available. The UK and EU appear to be the only CPCs with negative NDFs for CITES-listed sharks (both for shortfin mako).

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<sup>5</sup> CITES Resolution Conf. 14.6 (Rev. CoP16), paragraph 3.

<sup>6</sup> “Non-detriment findings” are assessments by nationally designated Scientific Authorities that are required for States to issue CITES trade documents.

<sup>7</sup> See e.g. CITES Resolution Conf. 12.6 (Rev. CoP18).

### ***Reviews of significant trade by ICCAT Parties***

If there is sufficient concern among CITES Parties that unsustainable international trade is continuing, CITES Appendix II-listed species can be selected for a Review of Significant Trade (RST) aimed at improving compliance by specific Parties. A new CITES RST Management System launched by the CITES Secretariat in 2022 helps increase RST transparency and engagement by allowing governments and stakeholders to track progress for selected country/species combinations online.

The first elasmobranch/country RST combinations were agreed in June 2023 by the CITES Animals Committee and include the following combinations relevant to ICCAT. The reviews were justified by the species' endangered status and "sharp increases" in global and country specific trade (export volume in 2021 was more than triple the average of the preceding five years):

- China, Mexico, and Nicaragua with respect to scalloped hammerheads
- Mexico with respect to great hammerheads
- Senegal with respect to oceanic whitetip sharks

For now, CITES shark trade data can be most illuminating within the ICCAT context for CPCs fishing only in the Atlantic (e.g. Senegal) because exports are not tied to regions. Over the next year, the RST process should shed light on ICCAT compliance questions regarding the percentage of hammerhead exports that Mexico and Nicaragua source from the Atlantic high seas (where ICCAT-dictated bans on retention or international trade should apply) versus the Pacific (where international restrictions are more lenient). Amending the CITES trade reporting protocols to provide for reporting by population and/or ocean basin could provide similar information on other shark species and CPCs while improving the ability to evaluate compliance and population health overall.

The CITES trade report that informed the selection of these species-countries combinations contained other issues of concern. Most notably, Costa Rica was identified as being responsible for 72% of global silky shark exports. This species-country combination was not selected for RST at the 2023 Animals Committee meeting because the dataset was still deemed too short. This case may, however, be a strong candidate for the next round of RST in 2026.

### ***Bridge the gaps***

In addition to the specific recommendations made above, our organizations urge ICCAT Parties to pursue the following actions through ICCAT, other international agreements, and domestic policies to improve compliance with existing ICCAT shark safeguards and enhance elasmobranch conservation more broadly.

- ICCAT:
  - Require 100% observer coverage (human and/or electronic) in industrial ICCAT fisheries
  - End all exceptions for retaining bigeye thresher, hammerhead, and silky sharks
  - Require species-specific reporting of thresher sharks
  - Allocate the South Atlantic blue shark TAC in line with 2023 stock assessment advice
  - Extend the retention ban on Endangered North Atlantic shortfin makos long-term
  - Prohibit retention of vulnerable longfin makos
  - Adopt a mobula ray release protocol and retention ban
  - Require that sharks be landed with fins still naturally attached.
- CITES:
  - Share detailed shark NDFs and associated explanations, including ocean basin of origin, through the CITES website
  - Change trade reporting guidelines to require identification of products by ocean basin

- Other international agreements:
  - Support the proposal to list oceanic whitetip sharks on Annex II of the Specially Protected Wildlife and Areas (SPA) Protocol of the Cartagena Convention
  - Prioritize shark conservation progress at September 2023 meeting of the Western Central Atlantic Fisheries Commission (WECAFC)
  - Implement obligations under the Convention on Migratory Species (CMS), especially strict protections for oceanic whitetip sharks and mobulid rays.

## D. Greenpeace – Choppy Waters; possible IUU activities on Chinese Taipei vessels

### Excerpt from Greenpeace East Asia’s report “Choppy Waters” with requested modifications and edits for ICCAT

#### 1. Executive summary

Chinese Taipei is one of the world’s largest distant water fishing (DWF) powers, with over 1,100 Chinese Taipei-flagged vessels fishing across our oceans and hundreds more Chinese Taipei-owned vessels flagged to other countries<sup>1</sup>. Chinese Taipei is also home to Fong Chun Formosa Fishery Company, Ltd. (FCF), which has been ranked as one of the top three tuna traders in the world<sup>2,3</sup>. FCF’s position as a global player was recently strengthened with the purchase of US canned tuna company Bumble Bee, further securing its place as a major supplier of tuna to consumers in the United States.<sup>4</sup>

In recent years, investigations have revealed shocking cases of human rights abuses in fisheries, including forced labour and human trafficking, and identified Chinese Taipei vessels and companies among the worst offenders. Even though the Chinese Taipei government has recently amended relevant regulations, progress has not been enough: both government and corporates continue to fail to protect the human rights of migrant fishers in the Chinese Taipei distant water fishing fleet. In Greenpeace East Asia reports *Made in Chinese Taipei* (2016) and *Misery at Sea* (2018), Greenpeace East Asia documented the “laissez-faire” attitude of the Chinese Taipei Fisheries Agency (TFA) towards both illegal, unreported, and unregulated (IUU) fishing and human rights abuses, and pointed out the influential role FCF could play in eradicating these practices.

This report is based on a 2019 investigation conducted by Greenpeace East Asia, involving interviews with migrant fishers from three fishing vessels that were either flagged or linked to Chinese Taipei. We found that IUU fishing and forced labour, allegedly, still continue to happen aboard Chinese Taipei fishing vessels operating in the Atlantic Ocean. The investigation indicates that violations of labour and human rights-related laws seem to remain commonplace in Chinese Taipei’s distant water fishing fleet, where over 20,000 migrant workers, most of whom are hired overseas from Indonesia and the Philippines, are employed<sup>5</sup>. The labour conditions reported might violate relevant Chinese Taipei regulations and they fulfill seven of the eleven International Labour Organization (ILO) indicators of forced labour.

In interviews conducted with migrant fishers, Greenpeace East Asia found the fishing activities described indicate IUU fishing practices, namely related to shark finning and illegal transshipments. One fishing vessel, which has been accused of working conditions indicative of forced labour and IUU fishing, and one major carrier, which allegedly received catch from a fishing vessel suspected of forced labour and IUU fishing, are linked to FCF. In addition, Greenpeace East Asia analyzed the automatic identification system (AIS) data of the fishing vessels, where available, and found that the catches could have made their way to the market either through transshipment at port or at sea. Together, these investigations suggest that FCF’s supply chains could be tainted with “modern slavery” and environmental destruction. Without greater oversight and protective measures in place, consumers in the main fish markets and elsewhere have every reason for concern that the seafood they buy may have been caught illegally, mixed with illegal catches or fished by workers subject to poor working conditions and even forced labour.

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<sup>1</sup> TFA. 2019, May 6. Legislations and Administrative Measures and for Overseas Employment of Foreign Crew Members. EU TAIEX Workshop on working and living conditions for fishers at the meeting of Ministry of Foreign Affairs, Council of Agriculture and Ministry of Labour, Kaohsiung, Chinese Taipei.

<sup>2</sup> Steven Adolf. 2019. A Sustainable, European Tuna Giant? Retrieved from [https:// tunawars.net/tuna-wars-blog/bolton-nbspa-sustainable-european-tuna-giant](https://tunawars.net/tuna-wars-blog/bolton-nbspa-sustainable-european-tuna-giant)

<sup>3</sup> FCF’s annual revenue is up to NTD 45 billion (equivalent to USD 15 million), exceeding the NTD 40 billion (equivalent to USD 13 million) aggregate value of Chinese Taipei’s distant water fishery products. Retrieved from *Wealth Magazine*. 2018. FCF: Chinese Taipei’s Lead in Distant Water Fisheries. [www.wealth.com.tw/home/articles/23154](http://www.wealth.com.tw/home/articles/23154) and JieYu Chiang. 27 June 2019. Prime Minister Su Says, Alarm off, Chinese Taipei’s 400 Million Value of Distant Water Fishery is Free from EU Yellow Card. *ETtoday*. Retrieved from <https://www.ettoday.net/news/20190627/1476874.htm>

<sup>4</sup> Greenpeace. 2020. FCF must assure American consumers following Bumble Bee acquisition. Retrieved from <https://www.greenpeace.org/usa/news/fcf-must-assure-american-consumers-following-bumble-bee-acquisition/>

<sup>5</sup> Fisheries Agency. 2019/12/31. The statistics of the foreign crew on board Chinese Taipei fishing vessels. Retrieved from <https://www.fa.gov.tw/cht/Announce/content.aspx?id=720&chk=1b3c3f83-3f52-41a7-b71f-d17c47ff8647&param=/>



For many years, Greenpeace has been advocating that major seafood corporations, like FCF, lead and uphold global fishery reform. FCF has been upgrading and initiating environmental and social policies and programs; however, FCF's diffused and complex supply chain, and the many flags flown by vessels catching tuna for the company, make transparency of its supply chain all the more important. FCF must take more proactive and progressive actions, including enhancing the traceability of the seafood supply chain; source only from vessels that do not take part in transshipments at sea; strictly comply with international standards on human and labour rights and best practices; support legal binding agreements with labour unions; upgrade its sustainability policy; and establish concrete and effective action plans to demonstrate its tuna is caught legally and responsibly, and the workers in its supply chain enjoy safe and just working conditions.

## 2. Findings

Greenpeace East Asia investigated and contacted over 10 migration Indonesian fishers working onboard distant water fishing vessels and further looked into the labour conditions of four of the fishers working on two Chinese Taipei vessels and a Japanese vessel.

It was found that:

- There is still a high risk of forced labour in Chinese Taipei's distant water fishing fleet, as demonstrated by the presence of ILO forced labour indicators such as excessive overtime, debt bondage, and retention of identity documents.
- The excessively complicated recruitment process for distant water fishing fleets makes it even harder to prevent migrant fishers from being exploited while they are already discriminated against in Chinese Taipei's current two-tiered system.
- Evidence exists of shark finning and illegal transfer of crew and shark fins between vessels. Given that interviews with the four fishers indicated the presence of forced labour, it reinforces the correlation between IUU fishing and forced labour.

More details of the analysis are as follows. Some of the vessel names and all the fishers names are presented using code due to the fact that these cases are, as of writing, being investigated by the Chinese Taipei authorities, as well as to protect the identity of fishers that Greenpeace East Asia contacted.

### **2.1 Indications of forced labour in Chinese Taipei's distant water fisheries: Cases and evidence**

#### *2.1.1 Reports of the fisher story*

##### Fisher story 1

According to the fisher, he was employed by a manning agency in his hometown to work aboard Chinese Taipei fishing vessel *Wei Ching*. After signing a contract with the agency, he took a flight to Dakar, Senegal, then boarded the vessel *Lisboa*, which transported him out of port to the Chinese Taipei longliner *Wei Ching* (as shown in **Image 1**).

The *Lisboa* appears to be a Senegalese fishing vessel according to the ICCAT record of authorized fishing vessels. He signed his contract with an Indonesian agency, but he claimed not to have received a copy. The fisher also claimed the monthly salary was USD 450, but a deposit of USD 100 per month was deducted for the first eight months. These conditions, as reported, including no copy of the contract, being transferred at sea by other vessels, and salary deduction, are all in violation of the TFA regulation, if true.



Image 1. Fisher story 1.

## 2.2 Potential case of IUU fishing

### 2.2.1 Migrant fishers' testimony: Shark finning and transshipments at sea

In addition to the fixed salaries, migrant fishers reported that they could receive bonuses for the shark fins, so whenever they caught a shark, they would cut the shark's pectoral, dorsal, pelvic, anal, and caudal fins and throw the rest of the body back into the water, a practice commonly referred to as 'shark finning.' According to the testimonies, when *Lisboa* transported migrant fishers to *Wei Ching*, it would also pick up the shark fins from the fishing vessel.

The rest of the catch on *Wei Ching* was transshipped at sea to a Japanese carrier vessel (name unknown). *Vessel S*, which transported the fisher to *Longliner B*, also picked up shark fins from *Longliner A* and *Longliner B*.

According to the fisher who worked onboard *Longliner A*, the catch was transshipped at sea to a Panama-flagged carrier vessel *Ibuki*, as well as other carrier vessels, once every three months.

The testimonies provided by the fishers might be indicative of the following suspected IUU activities:

The shark fin transshipments, as described above, between the *Wei Ching* and *Lisboa* and between *Longliner A* and *B* and *Vessel S* would be in violation of ICCAT's regulation on transshipments which states that the catch of a fishing vessel can only be transshipped to a carrier vessel included in the ICCAT record of vessels authorized to tranship<sup>6</sup>, and that transshipments between different fishing vessels are regarded as IUU fishing. Further, ICCAT's rules on the conservation of sharks prohibit discarding shark carcasses and the transshipment of fins from finned sharks<sup>7</sup>.

"We caught about 100 kilograms of dried shark fins in eight months and threw away the bodies. We only kept the fins because we couldn't sell the bodies," the fisher working on board *Wei Ching* reported.

"We only kept the fins of the sharks and discarded the rest of their meat. Last month, I placed the fins out under the sun to dry, but a few days later, we spotted an American patrol boat. The captain got really scared and told me to hide all the fins so that the Americans wouldn't find them," the fisher working on board *Longliner B* reported.

<sup>6</sup> ICCAT. 2016. ICCAT Recommendation 16-05 on transshipment.

<sup>7</sup> ICCAT (2004). ICCAT Recommendation concerning the conservation of sharks caught in association with fisheries managed by ICCAT. Paragraph 5.

## **E. European Union – Possible non-compliance by ICCAT CPCs**

EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

International Ocean Governance and Sustainable Fisheries  
**Regional Fisheries Management Organisations**

Brussels  
MARE.B2/

Mr Camille Jean Pierre MANEL  
Executive Secretary to ICCAT  
Corazón de María, 8  
E - 28002 MADRID

Subject: EU report on ICCAT requirement M : GEN 27- Data on non-compliance

Dear Mr Manel,

In accordance with ICCAT Recommendation 08-09 and with a view to facilitating the discussion of these issues during the next meetings of the Compliance Committee and the PWG, the European Union (EU) would like to request the comprehensive investigation of the following non-compliances with ICCAT Conservation and Management Measures.

### **1) Senegal**

Further to previous requests for investigation <sup>(1)</sup>, the EU reiterates its request that Senegal provides:

- a comprehensive report on the activities and catches landed by the fishing vessels MARIO 7, MARIO 11, DIAMALAYE 1909, MAXIMUS and LISBOA from 2019 to 2020 (with an extension to 2021 for FV DIAMALAYE 1909);
- the detailed list of port calls made in Dakar by the FV SAGE, RICOS NO.3, RICOS NO. 6 and MEGA NO.2, as well of the details of the catches they landed.

The EU also reiterates its request that Senegal provides the list of all ICCAT swordfish statistical documents that were validated for export to the EU in 2020.

These clarifications will also be sought once again through bilateral exchanges.

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<sup>(1)</sup> ICCAT Documents COC\_312A/2022 and COC-312A\_ADD\_3/2022.

In addition, the EU also highlights that it is currently analysing further import data from Senegal (other years than 2020) due to the identification of potential further overshooting of ICCAT quotas by Senegal (albacore tuna and swordfish). The EU might request additional clarifications from Senegal once this analysis is completed and will share any relevant information with the Secretariat and all CPCs in due time.

The EU would also like to request from Senegal a clarification on the fact that the International Telecommunication Union MARS database includes, in the update provided by Senegal on 30 November 2020, two vessels under the name OCEAN STARI 1 (call sign 6WNG, MMSI 663228000) and OCEAN STARI 2 (call sign 6WNH, MMSI 663229000). Considering the similarity of these names with the IUU-listed vessel OCEAN STAR NO. 2 and its sister ship OCEAN STAR NO. 1, exact match of the gross tonnage as well as potential connections in the ownership of these two sets of vessels, the EU requests clarifications on the dates of registration of the vessels OCEAN STARI 1 and OCEAN STARI 2 under Senegalese flag, their IMO number, their previous flag, and the type of fishing activities these vessels engaged in.

## 2) The Gambia

The EU reiterates its questions in relation to fraudulent exports from The Gambia in 2020 and 2021 (*ref.* Document COC\_312A/2022, Appendix 5). Bilateral exchanges are simultaneously ongoing with The Gambia, and the EU will provide an update if a comprehensive reply is obtained in this framework.

In addition, the EU would like to receive clear information in relation to the activities and location of the vessels LUCAS and KIKI (IUU listed vessels, former Senegalese-flagged vessels MAXIMUS and LISBOA <sup>(2)</sup>), which are currently flying the flag of The Gambia <sup>(3)</sup>. The EU would also like to receive this information in relation to another vessel flagged to The Gambia, named LUCCIA, IMO 8017762 (former Senegalese flagged tuna longliner DIAMALAYE 1909). This vessel is currently not on the ICCAT record of authorised vessels, and therefore the EU requests clarifications on the control measures that The Gambia has established to ensure that it does not engage in tuna fishing or fishing-related activities.

## 3) Angola

Pursuant to ICCAT Recommendation 11-15, Angola was under a prohibition to retain any ICCAT species from 1 January 2022 to 7 March 2023.

However, the EU gathered evidence that Angola did not comply with this prohibition and that from March 2022 to 5 January 2023, the Angolan-flagged vessel DEMERSAL 9 (longliner, IMO 9576533) caught in the ICCAT Convention area and subsequently exported to the EU swordfish, yellowfin tuna, marlin, shortfin mako and blue shark.

In addition, a verification of the total exports made by the vessel DEMERSAL 9 shows that it exported to the EU a total quantity of 134.6 tons of swordfish <sup>(4)</sup>, and that these catches were made from March 2022 to 5 January 2023.

According to the EU catch certificates and ICCAT statistical documents (SD) validated by the competent authorities of Angola, the fishing area of the vessel was FAO 47, and therefore the catches are Southern SWO (S-SWO). However, the vessel DEMERSAL 9 was not in the list of vessels authorised to fish for S-SWO (in contravention with Recommendation 17-03). In addition, in 2022 the annual quota of S-SWO allocated to Angola pursuant to Recommendation 21-03 was 100 tons. The vessel has consequently overshoot Angola's annual quota of S-SWO, and this overshoot was endorsed by the Angolan authorities who validated the ICCAT SDs associated to all these consignments.

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<sup>(2)</sup> <https://www.iccat.int/en/IUUlist.html>

<sup>(3)</sup> This was confirmed by The Gambia during the 2022 ICCAT annual meeting and in the framework of bilateral exchanges between the EU and The Gambia.

<sup>(4)</sup> Live weight equivalent calculated on the basis of the dressed weight mentioned in the ICCAT Swordfish statistical documents validated by Angola.



The EU also notes that the vessel DEMERSAL 9 is actively operating in the Convention ICCAT area since 4<sup>th</sup> May 2023 <sup>(5)</sup>, while this vessel is not on the ICCAT record of authorised vessel <sup>(6)</sup>, in contravention with Recommendation 21-14. The EU has informed the Secretariat of this situation (vessels tracks have been shared with the ICCAT Secretariat on 17 May, and further exchanges took place in June). Angola has also been informed by the Secretariat; however, the EU notes that to date, the vessel is still not included in the ICCAT record of authorised vessels.

Considering all these elements (fishing under a general retention ban, overshooting the annual quota of S-SWO, absence from the relevant ICCAT authorised vessels list), the EU cannot exclude requesting the IUU listing of the vessel DEMERSAL 9, in accordance with Recommendation 21-13.

The latest consignment shipped by FV DEMERSAL 9 (catches made from 6 October 2022 to 5 January 2023) was in any case confiscated by the competent authorities of the EU Member State where the import request was made.

#### **4) South Africa**

The EU reiterates its questions in relation to importations of tuna species caught by the IUU listed vessel HALIFAX (flag Namibia, IMO 8529533).

As mentioned last year (*ref.* COC\_306B/2022), 59 tons of tuna caught by this vessel have been exported from Namibia to South Africa. Pursuant to ICCAT Recommendation 21-13, *“CPCs shall take all necessary measures, under their applicable legislation to [...] prohibit the import [...] of tuna and tuna-like species from vessels included in the IUU list”*. The EU requests clarifications from South Africa on the reasons why these importations were accepted by South Africa, the corrective measures taken to ensure that this situation will not re-occur, and the sanctions taken by South Africa towards the company that made these imports.

#### **5) Cabo Verde**

Information collected by the EU demonstrates that Cabo Verde issued in December 2022 a licence to fish for tuna species to the longliner MUNCRECA (flag Cabo Verde, IMO 8706301) but that the vessel was not subsequently included in the ICCAT record of authorised vessels, in contravention with Recommendation 21-14 paragraph 2 (*“Each CPC shall submit to the ICCAT Executive Secretary, the list of its LSFVs that are authorized to operate in the Convention area”*).

Cabo Verde only requested this inclusion in May 2023, after the EU detected this contravention of Recommendation 21-14.

The EU would like to receive clarifications from Cabo Verde on the reasons why a vessel that was not in the ICCAT Record of authorised vessels has been authorised to fish for tuna and tuna-like species from December 2022 to May 2023, and more generally on how Cabo Verde ensures that any vessel exceeding 20 m LOA and fishing for tuna is appropriately registered with ICCAT. The EU would like to recall that pursuant to paragraph 1 of Recommendation 21-14, *“LSFVs not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species or species taken in association with those species”*.

The EU cannot exclude requesting the IUU listing of the vessel, in accordance with Recommendation 21-13.

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<sup>(5)</sup> According to information gathered by the EU, the vessel has been operating in the ICCAT Convention area from 4 May until 31 May, and then from 10 June to 10 July.

<sup>(6)</sup> By email dated 20 February 2023, the EU asked a question to the Secretariat about the fact that a CPC under a general retention ban (pursuant to Rec. 11-15) could still have authorised vessels on the ICCAT Record of authorised vessels. The EU believes that vessels status in the ICCAT Record of authorised vessels should be aligned with decisions made under Rec. 11-15. Following this exchange, vessel DEMERSAL 9 has been removed from the ICCAT record by the Secretariat. This situation could be further discussed during the next annual meeting.

## 6) Belize

The EU wishes to receive further information on the investigation carried out by Belize in relation to company Great Visions Co., Ltd and whether sanctions have been imposed, as mentioned in ICCAT Document COC\_306B/2022.

## 7) China

Reference is made to ICCAT Document COC\_306B/2022, where the EU noted that that the beneficial owner of the company Great Visions Co., Ltd (last known owner of the vessels ISRAR 2 and ISRAR 3, IUU listed vessels) would be a Chinese national, and called on China to investigate the matter and share the conclusions of this investigation with ICCAT <sup>(7)</sup>.

The EU would therefore request China to indicate whether this matter has been investigated and to share the conclusions of this investigation with the ICCAT Secretariat and all CPCs.

## 8) Guyana

The examination of the EU import data demonstrates that from January 2022 to August 2022, there were three consignments of blue marlin (*Makaira nigricans*) exported from Guyana to the EU. The total quantity exported in these shipments amounts to 12,3 tons (processed weight). Another shipment was detected in June 2023 (export of 1500 kg of blue marlin steaks).

The EU notes that Guyana declared last year that the fishery responsible for blue marlin catches has been stopped in August 2021 (ICCAT Document COC\_309/2022), and that the identification of Guyana was lifted on the basis of this statement (ICCAT Document COC-308\_APP\_2A/2022).

The EU would consequently appreciate to receive detailed information on the exact dates of catch of the blue marlin that was exported to the EU from January to August 2022 and in the shipment detected in June 2023.

The EU also draws the attention of Guyana on the fact that EU Member States will implement reinforced controls on any new consignment of blue marlin originating from Guyana.

## 9) Panama

The EU notes that billfish catches reported by longliners flagged to Panama are made of one species only (Atlantic sailfish – *Istiophorus albicans*), reached a peak of 838 tons in 2020 and do not include any discards of other billfish species or swordfish <sup>(8)</sup>.

The EU requests clarifications from Panama on this rather striking homogeneity of the catches, and on the mechanisms established to verify the information provided by the vessels.

Yours sincerely,

Stijn Billiet  
Head of the EU Delegation to ICCAT

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<sup>(7)</sup> Please see ICCAT Document COC\_312A/2022.

<sup>(8)</sup> ICCAT Task 1 data, accessed 12/07/2023.

**1. Response from China to EJF on possible IUU activities of Chinese vessels (documents A and B above)**

BUREAU OF FISHERIES, MINISTRY OF AGRICULTURE AND RURAL AFFAIRS, PEOPLE'S REPUBLIC OF CHINA

13 October 2023

To: Mr. Camille Jean Pierre Manel, Executive Secretary  
International Commission for the Conservation of Atlantic Tunas

**Subject: Reply letter from China on notification S23-06345&07445**

Dear Executive Secretary,

Thank you for your information from Environmental Justice Foundation (EJF) on accusation of some Chinese fishing vessels in your letters dated 20 June (Ref 23-06345) and 14 July, 2023 (Ref 23-07445).

Above all, I would like to express our sincere gratitude for your efforts and hardworking on promoting compliance issues within ICCAT. We attached great importance on the accusation from EJF and initiated internal investigation on the mentioned two companies and alleged vessels. We would like to share our investigation results as following:

Firstly, we had carefully examined every detail issues raised in the reports from EJF but the investigation did not find any of these vessels had ever done any activities related to the IUU fishing or human rights abuse as EJF accused. On the contrary, we found that the report from EJF was mainly based on the narration of the anonymous seafarers in several years ago. We also found that the photos as provided in the report, showing the violation of the specific fishing vessels, were inconsistent with those real vessels. As for the case of alleged vessels of CNFC, we checked the photos with its related vessels one by one, but we could not find the spot on the photos match the real on site condition of any alleged vessels. And we also interviewed remotely 19 crews onboard the vessels, including captains of the vessels involved, and they believe the information in the EJF report was not true. As for the case of alleged vessels of Dalian Ocean Fishing Co Ltd fleet, the same situation happened. So we believe the whole basis of the EJF report was on the seafarer's narration or the photos while neither the narration nor the photos match the reality, and therefore the information in the EJF report is not factual.

Secondly, the mentioned companies and their vessels was all authorized by Chinese authority and duly operated under ICCAT convention area and measures for years. With so many MSC measures in place, such as the transshipment observer program, the port State measures, the VMS measures, the trade measures and so on, any violation would be found and reported by observer or port/coastal state or VMS monitor system immediately either within ICCAT framework or bilaterally if these vessels had been discovered any of the activities as described in EJF report. However, we did not receive any feedback about any violation of these vessel by all means so far.

Thirdly, China always insists on "Zero Tolerance" attitude to combat IUU fishing activities, always attaches great importance of ICCAT compliance issues and devotes itself to complying with ICCAT Convention and recommendations through formulation of national regulations, training of fisherman and fishing companies, strengthening monitoring and management of fishing vessels, and so on. China always welcomes any parties to provide any factual clues on potential violations by Chinese vessels, and once a violation is verified, Chinese authority will immediately impose punishments and sanctions to relevant enterprises and vessels. On the other hand, China opposes and would not accept any groundless, ridiculous even malicious allegation. In this case, China welcomes further factual evidence to be provided.

We would like to reiterate our commitment to comply with the ICCAT recommendations to our best for the purpose of long-term conservation and sustainable utilization of fishery resource in ICCAT Convention area.

Best regards,  
SUN Haiwen  
Director, Division of Distant Water Fisheries  
Bureau of Fisheries, Ministry of Agriculture and Rural Affairs, People's Republic of China

**2. Response from Chinese Taipei to EJF on possible IUU activities of Chinese Vessels (documents A and B above)**

FISHERIES AGENCY  
Council of Agriculture, Executive Yuan

July 31, 2023  
No. 23/27

Mr. Camille Jean Pierre Manel  
Executive Secretary  
International Commission for the Conservation of Atlantic Tunas  
C/ Corazón de María, 8-6th floor,  
28002 Madrid, Spain

**Subject: Response to EJF Information on Alleged Activities Carried Out by Chinese Fishing Vessels**

Dear Mr. Manel,

In response to your letter dated 20 June 2023 (Ref No. 6345-23), I am writing to inform you of the investigation results on the subject matter.

The four carrier vessels did enter Kaohsiung Port around the dates indicated in the EJF's report. For C/V IBUKI, CHIKUMA, and CHITOSE, they entered our port with empty holds, and stowage plans were provided accordingly. The purpose of port entry was for supply. As to C/V HSIANG HAO, it entered Kaohsiung Port with catches onboard, including those from F/V JIN FENG 4 and CHANG RONG 5. However, C/V HSIANG HAO landed only catches of fishing vessels flagged to Chinese Taipei and Seychelles, and the rest of the catches from other vessels were transported to the next destination.

In sum, catches from the concerned Chinese fishing vessels were not landed in Kaohsiung Port and did not enter our domestic supply chains and market. We appreciate the EJF's alert to cases of potential non-compliances, and stand cooperative to collectively combat IUU fishing.

Best regards,

Ding-Rong Lin  
Head of Chinese Taipei Delegation to ICCAT



### 3. Response from UK to EJF on possible IUU activities of Chinese vessels (documents A and B above)

Department for Environment Food and Rural Affairs

2 Marsham Street  
London  
SW1P 4DF  
United Kingdom

T: 03459 335577  
helpline@defra.gov.uk  
www.gov.uk/defra

**Date:**13/10/2023

ICCAT Secretariat  
Corazón de María, 8. 28002  
Madrid,  
SPAIN

Dear ICCAT Secretariat,

#### **Response to ICCAT Circular No.6345**

Following your letter dated 20 June 2023, the UK has conducted a range of enquiries regarding the fishing vessels owned by the China National Fisheries Corp (CNFC) identified in ICCAT circular No. 6345.

The UK has analysed the Automatic Information System (AIS) data from 2018-2022 for the CNFC fishing vessels to determine where the vessels operated and whether they exhibited fishing behaviour inside waters under the national jurisdiction of the Metropolitan UK and the UK Overseas Territories (UK-OTs).

The UK has also sought to identify if any seafood from the CNFC vessels was landed into the Metropolitan UK or the UK-OTs directly, or if it has entered the supply chain indirectly via importation or from transshipment to other vessels.

The UK has found that there is no evidence that the CNFC fishing vessels have fished in Metropolitan UK or UK-OT waters. These vessels have not landed seafood into ports located in Metropolitan UK or the UK-OTs. Between 2018-2022, the vessels were predominantly active in the Central and North Atlantic and their behaviour indicated longline fishing activity. However, the vessels all had significant periods where they did not transmit on AIS. As a result, it has not been possible for the UK to identify all areas of activity. Predominantly these gaps occurred when the vessels were in port, but the vessels also had some AIS outages at sea. During 2018-2022 the CNFC vessels did not visit ports in Metropolitan UK or the UK-OTs.

Several vessels have been identified as interacting with the fishing vessels at sea, suggesting possible transshipment. However, these possible transshipments have been identified as having taken place in waters outside the national jurisdiction of the Metropolitan UK and the UK-OTs. One vessel that interacted with the CNFC fishing vessels entered the port at Ascension on the 28 January 2022. This has been clarified by Ascension Island Government (AIG) as being a case of *force majeure* related to medical assistance. It was confirmed that the vessel did not land any fish during this visit.

As such, based on our investigations the UK has no evidence that any fish landed by these CNFC vessels has entered UK markets.

If you require any other information, please do not hesitate to contact me.

Yours sincerely,

Jess Keedy, Head of UK Delegation to ICCAT.

#### 4. Response from European Union to EJF on possible IUU activities of Chinese vessels (documents A and B above)

EUROPEAN COMMISSION  
DIRECTORATE GENERAL FOR MARITIME AFFAIRS AND FISHERIES

Brussels  
MARE/B4/MSV (2023)

Mr Camille Jean Pierre Manel  
ICCAT Executive Secretary  
Corazón de María, 8 – 28002 Madrid – Spain

Dear Executive Secretary,

Thank you for your message dated 20 June 2023 concerning the information shared by the Environmental Justice Foundation (EJF) in accordance with the provisions of the Recommendation by ICCAT to establish a process for the review and reporting of compliance information (Rec. 08-09) in relation to activities in the ICCAT Convention area by Chinese-flagged vessels.

Fighting illegal, unreported and unregulated (IUU) fishing is a high priority for the EU and part of the EU's commitment to ensure the sustainable use of the sea and its resources, under the 2030 Sustainable Development Agenda and its specific Goals. It is also an important pillar of the EU Green Deal and the EU's ocean governance strategy, aiming to improve the international governance of the oceans.

Against that background, we carefully examined the EJF report ('the report'). We have addressed below the questions relevant to the EU and look forward to the results of the verifications conducted by other Contracting Parties on the basis of the worrying findings of the report.

Regarding the specific vessels mentioned in the alert, notably *JIN FENG 1*, *JIN FENG 3*, *JIN SHENG 7*, *CHANG RONG 1* and *CHANG RONG 5*, they are indeed authorised to export fisheries products to the EU under sanitary rules. On the contrary, *JIN FENG 4*, *JIN FENG 5* and *CHANG RONG 7* are not allowed to export fisheries products to the EU. However, *none of the authorised vessels has exported directly into the EU during the periods indicated in the report.*

Furthermore, *none of the vessels mentioned has landed fishery products in any Spanish port since 2018.* Nonetheless, there have been 20 entries into the port of Las Palmas since 2018 and 8 inspections were conducted during this period, including all entries since the report was received. None of the vessels inspected had fish on board at the time of the inspection, except for baits in 2 cases. The reasons for entry into port were related to port services, notably to conduct reparations, refuelling, bait loading, supplying and crew change.

Regarding port inspections, we note that, as in previous years, the EU and in particular Spain has carried out a *high number of port inspections on third country vessels*, well above the 5% percentage required by Recommendation 18-09. In particular, Spain has carried out 93 inspections this year up to August. Copies of all these inspection reports were transmitted to the ICCAT Secretariat as encouraged by paragraph 33 of ICCAT Recommendation 18-09.

In addition, the EU has throughout the years adopted many measures against IUU fishing and has been encouraging other countries to follow suit. The EU has a zero-tolerance approach to IUU fishing and, to realise this, it has at its disposal a range of specific tools, including a last resort ban on fisheries imports.

More specifically, the EU *IUU Regulation*<sup>1</sup> adopted in 2008, establishes measures:

- Allowing *imports* into the EU of marine fishery products only if accompanied by *catch certificates validated* by the competent flag state;

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<sup>1</sup> Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

- Allowing the EU to take *steps against States* failing to take effective actions to fight IUU fishing: the European Commission first issues a warning (yellow card), then if the country does not resolve the shortcomings identified, further measures can be taken by the EU (red card and listing), such as a ban of the importations of fishery products from the country concerned.

In relation to the human rights abuse issues raised in the report, the EU strongly condemns any violation of the fundamental rights at work. However, EU Member States import-control competent authorities do currently not have a legal basis to detain shipments of goods on the basis that they might have involved forced labour. In certain non-fishery sectors, EU law does mandate importers to abide by some due diligence requirements on the supply of inputs from some areas, such as tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas. Nonetheless, the European Commission has in September 2022 adopted a proposal for a *prohibition of products involving forced labour on the EU market*. The proposal covers goods made in the EU for domestic consumption and exports, as well as imported goods (including fisheries products).

In addition, the EU would like to underline that it has recently approved an extensive *revision of its Control Regulation*<sup>2</sup>, including provisions *obliging officials* carrying out an inspection to notify the competent authorities if they have reason to believe that a fishing vessel is engaged in fishing activities with the use of forced labour, as defined in Article 2 of the International Labour Organization (ILO) Convention No. 29 on Forced Labour. Conducting fishing activities with the use of forced labour, will also be included in the *list of serious fisheries infringements* of the revised Control Regulation. This is in addition to the criminal proceedings and consequent penalties that may be applied according to the criminal code.

Last but not least, the EU considers that the report is a timely reminder of the importance for ICCAT to adopt a *High Seas Boarding and Inspection Scheme* (HSBI). The HSBI is a critical tool in the fight against IUU fishing, including some of the activities that are alleged in the report. The EU has taken a proactive role in supporting the discussions on the proposal initially tabled by Canada (now IMM\_11 C) and encourages all CPCs to positively consider the proposal so that it can be adopted at this year's ICCAT Annual Meeting.

Yours sincerely,

Stjin BILLIET  
Head of Delegation to ICCAT

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<sup>2</sup> Article 74(8), article 90.2.p) and Annex III of the amendment to the Control Regulation.

## 5. Response from Costa Rica to Shark Reporting Gap Analysis (document C above)

Ministry of Fisheries and Aquaculture  
Government of Costa Rica

Executive Presidency  
Office of the Minister of Fisheries and Aquaculture

13 October 2023  
INCOPECA-PE-0898-2023

**Mr Camille Jean Pierre Manel**  
**Executive Secretary**  
**International Commission for the**  
**Conservation of Atlantic Tunas (ICCAT)**  
**Madrid – Spain**

Dear Executive Secretary,

I have the pleasure to address you in reference to official communication No. S23-07698 of 20 July 2023, forwarding the letter submitted by the organisations Shark Trust, Ecology Action Centre and Shark Advocates International (Ocean Foundation), which operate as the coalition Shark League. The document is concerned with the activities of ICCAT Contracting and Cooperating Parties in relation to elasmobranchs (sharks and rays), in accordance with the provisions of the *Recommendation by ICCAT to establish a process for the review and reporting of compliance information* (Rec. 08-09).

The following is a verbatim copy of the parts of the letter that refer to Costa Rica and a response to each of them:

1. “Many CPCs still lack binding domestic measures to implement ICCAT shark Recommendations and/or continue not to report on this policies in sufficient detail The following CPCs have large gaps as regards citing and/or explaining relevant domestic shark regulations: Barbados, Côte d'Ivoire, Curaçao, El Salvador, Ghana, Honduras, Liberia, Nicaragua, Nigeria, São Tomé and Príncipe, Trinidad and Tobago, Costa Rica, Guyana, Suriname, St Vincent and the Grenadines, and Venezuela.”

**Response:** Costa Rica has a large amount of shark regulations and new regulations are soon to be enacted (see attached table). We take note of the comment by Shark League as regards citing and/or explaining domestic regulations.

2. “22% of CPCs (11 of 49) claim that at least one shark species managed does not occur or is “not caught” in their waters as a reason to omit information, even though the SCRS has yet to confirm any CPC exemptions on this basis: Algeria, Barbados, Brazil, Ghana, Honduras, Iceland, Norway, South Africa, Tunisia, Costa Rica, Guyana.”

**Response:** Costa Rica submits to ICCAT information on the species that its fleet catches in the Atlantic and that are of interest to the Commission. We wish to clarify that the Costa Rican fleet operating in the Atlantic only operates within its Exclusive Economic Zone.



3. “Costa Rica claims an exemption to the ICCAT silky shark measure, but - as indicated above - reports substantial international trade which runs counter to the associated conditions. Determining what proportion of the trade corresponds to Atlantic silky sharks subject to ICCAT regulations is complicated because the CITES database does not allow for that distinction and their various NDFs aggregate Atlantic and Pacific landings. We urge Costa Rica to explain the split between fishing and trade in its Shark Check Sheet.”

**Response:** We take note of the recommendation made by the Shark League coalition.

4. “We also urge the Compliance Committee to question CPCs that submitted inadequate responses regarding the protection of oceanic whitetip sharks. Turks and Caicos, Costa Rica, Guyana, Honduras, and Nicaragua.”

**Response:** Oceanic whitetip sharks are not currently landed in Costa Rica.

5. At present, CITES shark trade data are most informative in the context of ICCAT in the case of CPCs that only fish in the Atlantic (e.g. Senegal) because exports are not linked to regions. Over the next year, the RST process should shed light on ICCAT compliance issues as regards the percentage of hammerhead exports obtained by Mexico and Nicaragua from the high seas of the Atlantic (where the ICCAT prohibitions on retention or international trade should apply) compared to the Pacific (where international restrictions are more lenient). Modification of the CITES trade reporting protocols for reporting by population and/or ocean basin could provide similar information on other shark species and other CPCs, and would improve the ability to assess compliance and health of the population in general.

The CITES report on trade that informed the selection of these combinations of species and countries contained other issues of concern. In particular, Costa Rica was identified as being responsible for 72% of global silky shark exports. This species-country combination was not selected for RST at the 2023 Animals Committee meeting because the dataset was still considered too short. This case may, however, be a strong candidate for the next round of RST in 2026.”

**Response:** We urge the Shark League coalition to contact the CITES Secretariat directly in connection with issues related to that Convention.

Yours sincerely,

**Mr Heiner Méndez Barrientos**  
**Minister of Fisheries and Aquaculture**  
**Executive President**  
**INCOPECA**

Attachment: Table on shark-related regulations.

| Regulation  | Subject   | Full title of the regulation  |
|---|---|---|
| <b>Law 7384</b>   | Law establishing INCOPECA   | Establishment of the Costa Rica Fisheries and Aquaculture Institute (INCOPECA).   |
| <b>Law 8436</b>   | Fisheries and Aquaculture Law   | Fisheries and Aquaculture Law   |
| <b>Executive Decree No. 36782-MINAET-MAG-MOPT-TUR-SP-S-MTSS</b> | Regulations to the Fisheries and Aquaculture Law No. 8436                                 | Regulations to the Fisheries and Aquaculture Law No. 8436   |
| <b>Executive Decree No. 37354 -MINAET-MAG-SP-MOPT-H</b>         | Prohibition on finning  | Prohibition on shark finning, import of fins and transport, transfer and carrying of shark fins on board a vessel in jurisdictional waters  |
| <b>Executive Decree No. 38027-MAG</b>                           | Sizes at first maturity for catch   | Establishment of sizes at first maturity for catch and  |
| <b>Executive Decree No. 34928-MAG</b>                           | Procedure for landing sharks  | Procedure for the landing of sharks by national and foreign fishing vessels in national territory   |
| <b>Executive Decree No. 42842-MINAE-MAG</b>                     | Appointment of CITES Management Authority for species of fishery and aquaculture interest | “Regulation of the Management Authority and Scientific Authorities of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for species of fishery and aquaculture interest”. |
| <b>Executive Decree No. 43900-MAG-MINAE</b>                     | Hammerhead shark prohibition  | Prohibition on catch and retention on board, transshipment, landing, storage, and marketing of hammerhead shark (Sphyrnidae) products and by-products   |
| <b>AJDIP-321-2011</b>   | Genetic material from sharks  | CPI - material genetico - tiburones   |
| <b>AJDIP-063-2012</b>   | Minimum shark sizes   | Proposed minimum shark sizes  |
| <b>AJDIP-044-2012</b>   | Minimum shark sizes   | Request criterion cct – minimum sizes catch shark   |
| <b>AJDIP-431-2012</b>   | Sharks workshop   | Authorise participation in sharks workshop  |
| <b>AJDIP-089-2013</b>   | Shark mission note  | Transfer shark mission note dgt -csampr-gd  |
| <b>AJDIP-105-2013</b>   | Sizes at first maturity   | Approve sizes at first maturity final version   |
| <b>AJDIP-122-2013</b>   | Research permit   | Authorises shark research mission   |
| <b>AJDIP-158-2013</b>   | Request shark licence   | Request shark fishing licence list ui-dpr-dgt   |
| <b>AJDIP-235-2013</b>   | Amendment of AJDIP-105-2013   | Mod_trans_unico_ajdip_105_2013_aprueba_tallas_primera_madurez_version_final   |
| <b>AJDIP-191-2014</b>   | Resolution on oceanic whitetip shark  | Acoge-resolucion-sobre-conservacion-tiburon-oceanico-punta-blanca   |
| <b>AJDIP-402-2014</b>   | Silky and hammerhead shark  | Presenta_posicion_institucional_tiburon_sedoso_y_martillo   |
| <b>AJDIP-069-2015</b>   | Harvest of rays   | Instruye_investigacion_captura_camaron_costa_pajaros_matanza_rayas  |
| <b>AJDIP-378-2015</b>   | Shark and ray sizes   | Acoge_criterio_mag_vigencia_tallas_tiburon_rayas  |
| <b>AJDIP-379-2015</b>   | Shark research  | Aprueba_investigacion_tiburon_rio_coyote  |
| <b>AJDIP-291-2016</b>   | Nicaragua sharks meeting  | Autoriza_participacion_reunion_trabajo_tiburones_nicaragua_JMCR_17_19_ago.docx)   |
| <b>AJDIP-345-2017</b>   | Ray catch permit  | Aprueba_Captura_Rayas_PMP   |
| <b>AJDIP-361-2016</b>   | Silky shark   | Da_recibido_DGT_A_041_2016_tiburon_sedoso   |
| <b>AJDIP-378-2016</b>   | IATTC silky measures  | Aprueba_medidas_CIAT_tiburon_sedoso   |

|                       |   |   |
|-----------------------|---|---|
| <b>AJDIP/026-2018</b> | Legal size at first catch                   | Establish the legal sizes at first catch (LSFC) responding to the sizes at first sexual maturity (SFSM) in accordance with the recommendations issued by the INCOPECA Technical General Directorate                               |
| <b>AJDIP/067-2018</b> | Inspection on landing                       | Manual of operational procedures for landing fishery products in Costa Rica harbours or ports   |
| <b>AJDIP-282-2018</b> | Hammerhead shark                            | Instruye_HMB_presentar_resumen_tiburon_martillo   |
| <b>AJDIP-286-2018</b> | Hammerhead shark sanctuary                  | Solicita_PE_analisis_santuario_tiburon_martillo_Golfo_Dulce   |
| <b>AJDIP-506-2018</b> | COPANT-CR Commission                        | Mocion_DMK_Instruye_DGT_estado_comision_Tiburon   |
| <b>AJDIP/077/2020</b> | Satellite beacons                           | Regulation on monitoring, control and surveillance of fishing vessels of the national and foreign fleets  |
| <b>AJDIP/143-2020</b> | PANT-CR 2020                                | Approval of the National Action Plan for Conservation and Management of Sharks in Costa Rica (PANT-CR 2020)   |
| <b>AJDIP/144-2020</b> | COPANT-CR                                   | Regulation on establishment and operation of the Monitoring and Evaluation Committee of the National Action Plan for Conservation and Management of Sharks in Costa Rica  |
| <b>AJDIP-066-2021</b> | PANT-Shark                                  | Solicitar_a_JMC_informe_adicional_ONGS_PANT_Tiburon   |
| <b>AJDIP-082-2021</b> | PANT-Shark                                  | Se_designa_CR_x_Siempre_en_la_Comision_PANT-TIBURON_CR  |
| <b>AJDIP/076-2022</b> | Vessel monitoring, control and surveillance | Regulation on monitoring, control and surveillance of fishing vessels of the national and foreign fleets  |
| <b>AJDIP-196-2022</b> | Educational ray fishing permit              | Aprueba_Permiso_Pesca_Didactica_Rayas_Parque_Marino_Pacifico  |
| <b>AJDIP-231-2022</b> | MINAE-INCOPECA joint actions for sharks     | Aprueba_Acuerdo_Acciones_Conjuntas_MINAE_INCOPECA_Tiburones   |
| <b>IATTC</b>          | Regional fisheries management organisation  | Inter-American Tropical Tuna Commission (Resolutions available at <a href="https://www.iattc.org/en-us/resolution/type/IATTC">https://www.iattc.org/en-us/resolution/type/IATTC</a> )   |
| <b>OSPESCA</b>        | Regional fisheries management organisation  | Organisation of the Fisheries and Aquaculture Sector of the Central American Isthmus (SOPECA) (Legal Instruments available at <a href="https://www.sica.int/ospesca/instrumentos">https://www.sica.int/ospesca/instrumentos</a> ) |
| <b>ICCAT</b>          | Regional fisheries management organisation  | International Commission for the Conservation of Atlantic Tunas (Recommendations available at <a href="https://www.iccat.int/en/RecRes.asp">https://www.iccat.int/en/RecRes.asp</a> )   |

## 6. Response from European Union to Shark Reporting Gap Analysis (document C above)

EUROPEAN COMMISSION  
DIRECTORATE GENERAL FOR MARITIME AFFAIRS AND FISHERIES

International Ocean Governance and Sustainable Fisheries  
Regional Fisheries Management Organisations  
The Head of Unit

Brussels  
MARE B2/BM (2023)

Mr Camille Jean Pierre MANEL  
Executive Secretary to ICCAT  
Corazón de María, 8  
28002 Madrid

**Subject: Reply from the European Union to the letter of information from Shark Trust, Ecology Action Centre and Shark Advocates International on activities of ICCAT CPCs as regards elasmobranchs**

Dear Executive Secretary,

The European Union wishes to provide some elements of answer to the letter from Shark Trust, Ecology Action Centre and Shark Advocates International on the interactions of fleets operating in the ICCAT convention area and elasmobranchs.

Firstly, we would like to thank the organisations that have contributed to this letter for their investigations and the importance of their work in highlighting weaknesses in the ICCAT regulatory framework as well as the efforts remaining to be done in the implementation of current measures. In this regard, the EU has been mentioned a few times. We would like to provide some clarifications.

Regarding the reporting of landings of elasmobranchs species, the EU underlines that it has a robust control system articulated around the so-called Control Regulation<sup>1</sup>. This regulation, adopted in 2009, has been thoroughly revised this year, including the reinforcement of key provisions such as traceability rules, measures to reduce or eliminate the incidental catches of sensitive species and implementation of Remote Electronic Monitoring, including CCTVs for EU fishing vessels above 18 meters considered to have a high risk of non-compliance with the rules on landing obligation (discards).

According to the Control Regulation, EU vessels are obliged to electronically record their fishing activity and send it daily to their national authorities. The newly adopted rules on the use of CCTVs will allow EU Member States authorities to better control accurate reporting of all catches. Additionally, all landed products must be weighed on certified systems approved by the authorities. Buyers must issue sales notes in relation to the fishery products purchased. All this data, but also other information such as VMS, fishing authorisations, inspections, sightings, etc., is cross-checked by the authorities of the EU Member States and followed up in case of detected non-compliances. The EU and its Member States have numerous means of inspection in terms of patrol vessels, air assets and personnel and high control standards. The control activity in the member states is to a large extent co-ordinated by the European Fisheries Control Agency (EFCA).

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<sup>1</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy.



In relation with the control of imports of fishery products, including elasmobranch, the EU has put in place legislation and a system to combat IUU fishing. According to the IUU Regulation<sup>2</sup>, only marine fishery products accompanied by catch certificates validated by the competent flag state can be imported into the EU. The IUU Regulation allows also to take steps against states not acting against illegal fishing activities: the European Commission first issues a warning (yellow card), then if the country is still not complying, it may place it in the list of non-cooperating countries. Fisheries products from the country in question will then be banned from the EU market.

The EU also has a system for the traceability of products entering its market. TRACES is the European Commission's online platform for sanitary certification required for the importation of fishery and other food products into the European Union. The TRACES platform enhances cooperation and coordination between the relevant competent authorities and facilitates the exchange of data and information. TRACES allows to trace back and forth all the movements and for the quick detection of fake certificates and therefore contributes to the fight against food fraud.

Regarding the landing of silky sharks the EU adheres to the ban to do so in the Atlantic Ocean. The EU notes that the figures referred to in your letter are indeed extremely low. We cannot exclude that there could be rare bycatches of a low number of individuals unintentionally and unavoidably frozen as part of a purse seine vessel's operation.

Finally, the EU will again be leading the way in ICCAT this year in terms of shark conservation with a proposal on the safe handling and release of whale shark caught in association with ICCAT fisheries, as well as a proposal to address the overshooting of the current total allowable catch for South Atlantic Blue shark.

We hope that that information can be useful for our collective effort on the conservation of elasmobranchs in the ICCAT area of competence.

Yours sincerely,

Stjin BILLIET  
Head of the EU Delegation to ICCAT

Cc: Séamus Howard, Benoît Marcoux, Cristina Ribeiro, Eva De Bleeker, Jérôme Broche

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<sup>2</sup> Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

**7. Response from Chinese Taipei to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above) and two annexes to same**

**Investigation Report on the Allegations from Greenpeace**  
Chinese Taipei  
September 5, 2023

**Introduction**

Excerpting and modifying from the report, *Choppy Waters*, Greenpeace claimed that illegal, unreported, and unregulated (IUU) fishing and forced labor still, allegedly, continue to happen aboard Chinese Taipei fishing vessels operating in the Atlantic Ocean. Mostly based on interviews with crew, the excerpted report found that:

1. There were potential violations of domestic regulations on crew management by F/V WEI CHING, including crew being transported by a Senegalese F/V LISBOA; crew not having a copy of the contract despite signing it with an Indonesian agency; and deducting USD 450 monthly wage by USD 100/month for the first eight months.
2. There were also potential cases of IUU fishing, in violation of relevant ICCAT recommendations:
  - (1) At-sea transshipment of fins from F/V WEI CHING to LISBOA.
  - (2) At sea transshipment of fins from Longliner A to Vessel S.
  - (3) At sea transshipment of fins from Longliner B to Vessel S.
  - (4) Finning by F/V WEI CHING, Longliner A, and Longliner B.

Upon receiving the report *Choppy Waters* in early 2020, the Fisheries Agency of Chinese Taipei (TFA) launched investigations forthwith. As to the allegations mentioned above, the investigation results are as follows. For the ease of reference, the concerned vessel names as well as the flag States are summarized in **Table 1**<sup>1</sup>.

**Table 1.** Names and flag States of the concerned vessels.

| <i>Code used in the excerpted report</i> | <i>Vessel name</i> | <i>Flag State</i> |
|--|--------------------|-------------------|
|  | WEI CHING          | Chinese Taipei    |
| Longliner A                              | SHUN YU            | Chinese Taipei    |
| Longliner B                              |                    | Japan             |
| Vessel S                                 | SAGE               | The Gambia        |
|  | LISBOA             | Senegal           |

**Investigation results**

1. Potential violations of domestic regulations on crew management by F/V WEI CHING, including crew being transported by a Senegalese F/V LISBOA; crew not having a copy of the contract despite signing it with an Indonesian agency; and deducting USD 450 monthly wage by USD 100/month for the first eight months.

The lack of crew's name prevented the TFA from effective investigation into the allegations, especially regarding the transportation of crew by F/V LISBOA. The TFA thus had to look at other existing available information.

To protect the rights and benefits of foreign crew working onboard Chinese Taipei's distant water fishing fleets, the TFA has implemented since 2018 a scheme to interview foreign crew when its vessels call into domestic and foreign ports. The aim of such scheme is to proactively detect, to the extent possible, any potential non-compliance with respect to labor conditions. When F/V WEI CHING entered Cape Town in August 2019, the TFA interviewed six of the foreign crew. All the crew interviewed

<sup>1</sup> As Longliner B is flagged to Japan and the related investigation is not under the jurisdiction of TFA, the vessel name is therefore not disclosed.

indicated that they signed the contracts with the manning agencies from their home countries, and they each held a copy of the contract. The monthly wage provided in the written contract was USD 450 or above, and the actual monthly wage received was also above USD 450.

The TFA also examined the contracts signed with the crew who were working onboard F/V WEI CHING in early 2020. No violation of domestic regulations was found. Upon the request of the TFA, the owner provided relevant documentation such as payroll, transaction receipts, etc. After examination, the actual monthly wage received was the same as the one written in the contract, and no deduction was found.

## 2. Potential finning by F/V WEI CHING and at-sea transshipment of fins from F/V WEI CHING to LISBOA

To screen out any possible anomalous situation that could support the allegations, the TFA used the following methods for investigation<sup>2</sup>:

- reviewing and cross-checking databases such as the vessel monitoring system (VMS), electronic logbook (e-logbook) system, transshipment/landing notices and declarations;
- examining observer and inspection reports, if any;
- conducting further inspections, where feasible;
- tracking down the whereabouts of the crew and captain for interview, if feasible; and
- cross-checking positions of concerned vessels.

No anomaly was found after reviewing all the relevant databases. When examining the transshipment notices and declarations filed by F/V WEI CHING, the TFA found that it conducted a total of three at-sea transshipments in 2019. One of the at-sea transshipments was made with a Japanese C/V TAISEI MARU No. 15 on 22 July, which somehow matches the Greenpeace statement<sup>3</sup>. However, it should be noted that all of the three transshipments had been duly applied for and granted with authorizations from the TFA in accordance with standard operating procedures. Besides, observers under the ICCAT regional observer program (ROP) were onboard to monitor the course of transshipment. The notification, TFA's authorization, and declaration of the at-sea transshipment with C/V TAISEI MARU No. 15 are shown in **Annex 1**.

F/V WEI CHING was placed an observer by the TFA from September 2019 to August 2020. According to the observer report, the observer did not observe any potential non-compliance. The TFA inspected F/V WEI CHING twice, in Cape Town in August 2019 and in Cianjhen Fishing Port in September 2020. No infringement, including shark-related one, was found during the two inspections. Further port inspections have not been conducted as this vessel has stayed in domestic ports since its port entry in August 2020.

According to the crew list obtained when F/V WEI CHING entered Cape Town in 2019, the TFA located the whereabouts of one foreign crew and conducted the interview in April 2022. In response to the question on whether F/V WEI CHING had transshipped fins to others fishing vessels, including F/V LISBOA, the crew replied that he had never seen any fin being transshipped to others. As for the captain, the TFA also located his whereabouts and interviewed him in August 2022. The captain stated that he served onboard F/V WEI CHING sometime in 2018 or 2019 to 2020, and there was no transshipment of fins between the two vessels at issue. The TFA interviewed the operator of F/V WEI CHING as well, who responded that the company will not conduct such illegal activity (i.e., transferring fins with F/V LISBOA).

To determine whether F/V WEI CHING had transshipped fins with F/V LISBOA or not, the first step TFA took was to cross-check their positions. Since the automatic identification system (AIS) data of F/V LISBOA for 2019 were not available, the TFA addressed a letter to the Senegal Government, requesting the VMS data as well as other data and information that could verify whether at-sea transshipment of fins had taken place. With the VMS data provided by Senegal, it was found that tracks of both vessels overlapped for a couple of hours on 20 January 2019. Nonetheless, without other supporting documents, such as sales slips or cargo manifest, the putative at-sea transshipment of fins cannot be confirmed merely grounded on the overlapping of vessel tracks.

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<sup>2</sup> As the Greenpeace report was based on a 2019 investigation, the TFA mainly looked into relevant data and information for that year.

<sup>3</sup> "The rest of the catch on Wei Ching was transshipped to a Japanese carrier vessel (name unknown)."

In addition, the review of relevant databases/reports as well as TFA's interview with the crew do not support the allegations made by Greenpeace. Over the course of investigation, there were no other clues that could enable the TFA to probe deeper.

3. Potential finning by F/V SHUN YU and at-sea transshipment of fins from F/V SHUN YU to SAGE

Applying the same methods as abovementioned, the TFA did not detect any anomaly after reviewing the relevant databases. Greenpeace indicated that the catch of F/V SHUN YU "was transshipped at sea to a Panama-flagged carrier vessel IBUKI, as well as other carrier vessels, once every three months." As the names of other carrier vessels were not specified, the TFA could only cross-check the VMS data of C/V IBUKI with those of F/V SHUN YU. These two vessels did transship at sea on 23 May and 16 June 2019, for which notifications and declarations were submitted to the TFA and ICCAT, as appropriate. Moreover, these transshipments were duly monitored by the ICCAT ROP observers. The relevant notifications, TFA's authorizations, and declarations for the at-sea transshipment with C/V IBUKI are as **Annex 2**.

The TFA deployed an observer on F/V SHUN YU from August 2019 to February 2020. No potential non-compliance was observed in the report submitted. The TFA inspected this vessel in Cape Town in June 2019, and further inspected it twice in August 2020 and April 2021 when it stayed in Cianjhen Fishing Port. Apart from inspecting the fishing vessel itself, the TFA also inspected its catch which was landed in Kaohsiung by C/V HARIMA in December 2022. All the port inspections did not find any violation, including that related to sharks.

According to the crew list obtained when F/V SHUN YU entered Cape Town, the TFA tracked down the whereabouts of one foreign crew. An interview was arranged in August 2022. The crew stated that he served onboard F/V SHUN YU from 2017 to July 2019, and he did not see this vessel transshipping fins to other vessels, including F/V SAGE. The TFA inquired the operator as well, who responded that such illegal activity would not be conducted, for the fine entailed is way too much. The captain's whereabouts could not be located for he, to the TFA's knowledge, is not currently serving onboard fishing vessels. The interview is therefore not conducted.

Since F/V SAGE was flagged to The Gambia in 2019, the TFA addressed letters to The Gambia, asking for the VMS, logbook, and cargo data. No response has been received yet. Under such circumstances, the TFA could only cross-check the AIS data of F/V SAGE with the VMS data of F/V SHUN YU. Unfortunately, for the whole year of 2019, the AIS data available are for 28 - 29 November. On those two days, the AIS was transmitted on land from Kaohsiung (**Figure 1**)<sup>4</sup>, while F/V SHUN YU was operating in the Atlantic Ocean (**Figure 2**). The TFA was consequently unable to determine whether these two vessels encountered in 2019 based on the data at hand.

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<sup>4</sup> TFA has been investigating whether F/V SAGE is operated by Chinese Taipei's national, and the result will be submitted to the 28th Regular Meeting of the Commission.





Figure 1. AIS positions of F/V SAGE on 28 – 29 November 2019.

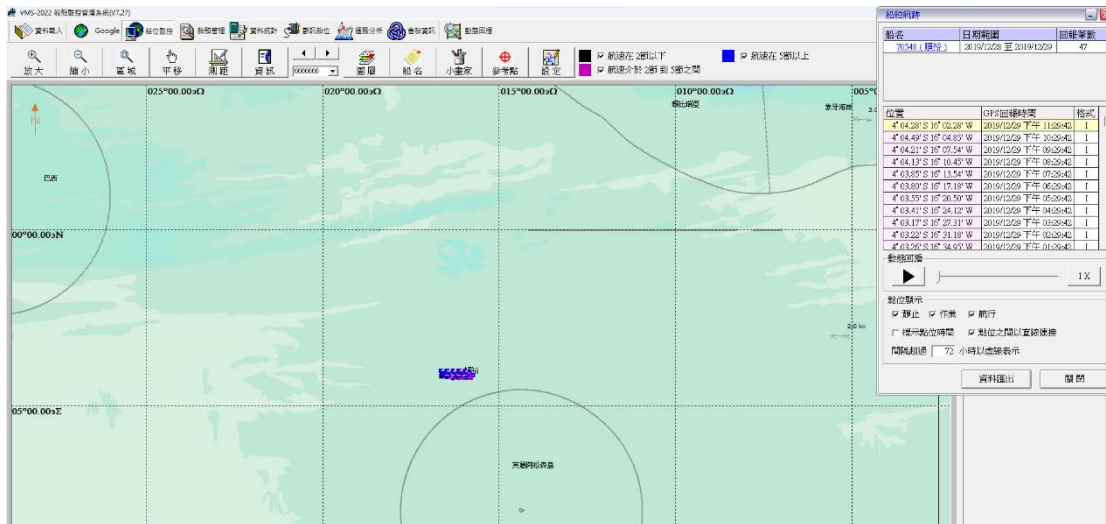


Figure 2. VMS positions of F/V SHUN YU on 28 – 29 November 2019.

After reviewing relevant databases and reports, interviewing the crew, and cross-checking the positions of vessels in questions, the TFA did not find evidence that could support the allegations, nor could it obtain further clues that lead to a deepened investigation.

## Conclusions

The allegations from Greenpeace cannot be corroborated after the TFA's investigation, and in accordance with domestic law, punishments cannot be imposed as a result. However, it is decided to prioritize these two vessels for placing observers and port inspection if conditions allow, so as to strengthen control over them.

During the course of investigation, one of the impediments was the lack of the crew's identities who were interviewed by the Greenpeace. The TFA once requested the assistance from Greenpeace in providing further information, such as crew's names, more specific date(s)/period, etc., and promised to keep all the details confidential, as the TFA fully understood the sensitivity of this issue and the importance of protecting the crew. It is a pity that no response has been received. In spite of the difficulties encountered, the TFA still exhausted all possibilities in the hope of probing further.

Mindful of the fact that combating IUU fishing and forced labor in fisheries take collective actions, Chinese Taipei thanks the efforts of Greenpeace in providing information on potential non-compliances. While it is understandable that the aim is to help with the enforcement of the domestic legislation, Chinese Taipei is concerned that Greenpeace, largely based on interviews with crew, alleged that IUU fishing and forced labor still continue to happen aboard its fishing vessel operating in the Atlantic Ocean, and violations of labor and human rights-related laws seem to remain commonplace in Chinese Taipei's distant water fishing fleet. It should be noted that Chinese Taipei has for years taken numerous enhanced measures to reinforce its management systems, be it for fishing activities, control over nationals, or labor conditions. It has made great strides on all fronts, from legal framework, monitoring and inspection capacity, to law enforcement and partnership with stakeholders. Although there is room for improvement, it would not be fair and correct to say that TFA has the "laissez-faire" attitude towards IUU fishing and human right abuses. On the contrary, the actions taken by the TFA in relation to the allegations above manifest Chinese Taipei's firm attitude towards such illegal activities.

Upholding the spirit of collaborating with all parties concerned, including non- governmental organizations, Chinese Taipei still welcomes and looks forward to dialogues with Greenpeace, in a more constructive and benign manner. It is also Chinese Taipei's longstanding commitment to fulfill applicable responsibilities and to the proper law enforcement, with the aim to combating IUU fishing and forced labor in fisheries collectively.

Applied by Fishing Vessel 鮪延繩釣漁船申報  
 Applied by Carrier 運搬船申報

Notification for Taiwan Flagged Vessels to Apply for Transshipment

| Name of Vessel<br>漁船名稱                         |                         | 威慶 (CT 6-1352)                              |  |  | ICCAT List Number of Vessel<br>ICCAT 漁船名冊編號  |                         | AT000TAI00129  |  |  |
|--|-------------------------|---|--|--|--|-------------------------|--|--|--|
| Name of Carrier<br>運搬船名稱                       |                         | 15大盛丸                                       |  |  | ICCAT List Number of Carrier<br>ICCAT 運搬船名冊編號  |                         | AT000  |  |  |
| Estimated Time of Transshipment<br>預定轉載時間      |                         | 21 day 日 07 month 月 2019 year 年             |  |  | Caught Time of Product<br>轉載漁獲物漁獲時間  |                         | From day month year<br>To day  |  |  |
| Estimated Point of Transshipment<br>預定轉載地點     |                         |   |  |  | Notification to Port State Authorities before In-Port Transshipment<br>從事港內轉載者，是否業向港口國報備 |                         | <input type="checkbox"/> YES 是<br>day month year<br>日 月 年<br><input type="checkbox"/> NO 否 |  |  |
| Product<br>轉載漁獲物                               | Type of Product<br>處理型態 | Geographic Location of Tuna Catch<br>漁獲捕撈位置 | Catch to Be Transshipped (kg)<br>轉載量(公斤) | Catch Remained Onboard (kg)<br>留艙量(公斤) | Product<br>轉載漁獲物   | Type of Product<br>處理型態 | Geographic Location of Tuna Catch<br>漁獲捕撈位置  | Catch to Be Transshipped (kg)<br>轉載量(公斤) | Catch Remained Onboard (kg)<br>留艙量(公斤) |
|  |                         |   |  |  |  |                         |  |  |  |
|  |                         |   |  |  |  |                         |  |  |  |
|  |                         |   |  |  |  |                         |  |  |  |
| Estimated Landing Country<br>獲預定卸售地            |                         |   |  |  |  |                         |  |  |  |
| Taiwan Tuna Association<br>臺灣遠洋鮪延繩釣漁船魚類輸出業同業公會 |                         |   |  | Signature of Owner 漁業人簽名 _____         |  |                         |  |  |  |
| Signature of Master 船長簽名 _____                 |                         |   |  | Signature of Owner 漁業人簽名 _____         |  |                         |  |  |  |

行政院農業委員會漁業署





行政院農業委員會漁業署

FISHERIES AGENCY

Council of Agriculture, Executive Yuan

No. 1, Fishing Harbor North 1<sup>st</sup> Rd., Kaohsiung, TAIWAN

TEL: 886-2-3343-6182 FAX: 886-2-3343-6128 <http://www.fa.gov.tw>

2019/7/18

**Authorization Letter on transshipment at sea**

**To: WEI CHING OCEAN ENTERPRISE CO.,LTD**

**Subject: Your application for a transshipment activities occurred between fishing vessel "WEI CHING"(ICCAT No. AT000TAI00129) and carrier vessel "TAISEI MARU NO.15"(ICCAT No. AT000JPN00651), which is expected to take place in on 2019/07/21, has been authorized by the Fisheries Agency.**



**Content:**

- 1. In reply to the application of your company dated 2019/07/17 .**
- 2. According to the domestic laws, the captain or the fishery operator of the transshipment declaration of ICCAT within 15 days after the date of transshipment to the Fisheries Agency for perusal.**



ICCAT TRANSHIPMENT DECLARATION  Applied by Carrier Vessels 運送船申報

|   |   |             |
|---|---|-------------|
| Carrier vessel  | Fishing vessel                                    | 或載          |
| Vessel Name and radio call sign: TAISEI MARU NO.15 / 7JTK | Name of the vessel and radio call sign: WEI CHING | 威盛 / BHE352 |
| Flag Country / Entity / Fishing Entity: ISE, MIE JAPAN    | Flag CPC: Chinese Taipei                          |             |
| Flag State authorization number: 142312                   | Flag CPC authorization number: TW-2019-ALLB0008   |             |
| Domestic Registration Number: ME1-964                     | Domestic Registration Number: CT6-1352            |             |
| ICCAT/CCSBT Record Number: AT000JPN00651 / CV04749        | ICCAT/CCSBT Register Number: AT000TAJ00129        | ✓           |
| IMO Number, if any: 8710728                               | IMO Number, if any: 9181924                       |             |
|   | External identification                           |             |

|                                   |     |       |       |      |              |                               |
|-----------------------------------|-----|-------|-------|------|--------------|-------------------------------|
| Departure                         | Day | Month | Hour  | Year | Agent's name | Carrier vessel Master's name: |
| Return                            |     |       |       |      | Signature:   | Signature:                    |
| Transshipment                     | 22  | 7     | 05:55 | 2019 |              |                               |
| Caught Period of Product From day |     | month |       | year | month year   |                               |
| 在載運獲物之漁獲期間 自 日                    |     | 月     |       | 年    | 月 年          |                               |

Indicate the weight or the unit used (e.g. box, basket) and the landed weight in kilograms of the \_\_\_\_\_ kilograms.

Location of Transshipment:

| Species (by stock, * if applicable) 2 | Port | Area 3   | Stock        | Type of Product 1 | Net Weight (Kg) |
|---------------------------------------|------|----------|--------------|-------------------|-----------------|
|                                       |      | ATLANTIC | ALL ATLANTIC | RD/GG/DR/FL/ST/OT |                 |
|                                       |      | ATLANTIC | ALL ATLANTIC |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
|                                       |      |          |              |                   |                 |
| TOTAL                                 |      |          |              |                   |                 |

ICCAT Observer signature and date (if transshipment at sea)

*P. Lake*  
ICCAT IOTC CCSBT OBSERVER

1 Type of Product should be indicated as Round (RD), Gilled and Gutted (GG), Dressed (DR), Fillet (FL), Steak (ST), Other (OT) (describe the type of product).  
 2 A list of species by stock, with their geographic delineation, is included on the back of this form. Please provide as much detail as possible.  
 3 Atlantic, Mediterranean, Pacific, Indian.

\* If stock level information is not available, please provide explanation.





108. 5. 17

附件十二、漁船轉載漁獲申報表

Applied by Fishing Vessel 請延繩釣漁船申報  
 Applied by Carrier 運搬船申報

Notification for Taiwan Flagged Vessels to Apply for Transshipment

|  |                         |  |   |  |                  |  |   |   |   |
|--|-------------------------|--|---|--|------------------|--|---|---|---|
| Name of Vessel<br>漁船名稱                         |                         | 順格號 70548                                  |   | ICCAT List Number of Vessel<br>ICCAT 漁船名冊編號  |                  | AT000TAI00204  |   |   |   |
| Name of Carrier<br>運搬船名稱                       |                         | IBUKI (伊吹)                                 |   | ICCAT List Number of Carrier<br>ICCAT 運搬船名冊編號  |                  | AT000PAN00163  |   |   |   |
| Estimated Time of Transshipment<br>預定轉載時間      |                         | day month year<br>日 23 月 05 年 2018         |   | Caught Time of Product<br>轉載漁獲物漁獲時間  |                  | From day month year<br>To day month year                                   |   |   |   |
| Estimated Point of Transshipment<br>預定轉載地點     |                         |  |   | Notification to Port State Authorities before In-Port Transshipment<br>從事港內轉載者，是否業向港口國報備 |                  | <input type="checkbox"/> YES 是<br><input checked="" type="checkbox"/> NO 否 |   |   |   |
| Product<br>轉載漁獲物                               | Type of Product<br>處理型態 | Geographic Location of Tuna Catch<br>獲捕撈位置 | Catch to Be Transshipped (kg)<br>轉載量 (公斤) | Catch Remained Onboard (kg)<br>留驗量 (公斤)  | Product<br>轉載漁獲物 | Type of Product<br>處理型態  | Geographic Location of Tuna Catch<br>漁獲捕撈位置 | Catch to Be Transshipped (kg)<br>轉載量 (公斤) | Catch Remained Onboard (kg)<br>留驗量 (公斤) |
|  |                         |  |   |  |                  |  |   |   |   |
| Estimated Landing Country<br>魚獲預定卸售地           |                         |  |   |  |                  |  |   |   |   |
| Taiwan Tuna Association<br>台灣區遠洋延繩釣漁船魚類輸出業同業公會 |                         | 簽 證 標                                      |   |  |                  |  |   |   |   |

Signature of Master 船長簽名 \_\_\_\_\_

Signature of Owner 經營者簽名 \_\_\_\_\_

F A X

05/17/2019 15:29

Annex 2



5



行政院農業委員會漁業署  
FISHERIES AGENCY  
Council of Agriculture, Executive Yuan  
No. 1, Fishing Harbor North 1<sup>st</sup> Rd., Kaohsiung, TAIWAN  
TEL: 886-2-3343-6182 FAX: 886-2-3343-6128 <http://www.fa.gov.tw>

2019/5/17

**Authorization Letter on transshipment at sea**

**To: SHUN YU OCEAN ENTERPRISE CO.,LTD.**

**Subject: Your application for a transshipment activities occurred between fishing vessel "SHUN YU"(ICCAT No. AT000TAI00204) and carrier vessel "IBUKI"(ICCAT No. AT000PAN00163), which is expected to take place in on 2019/05/23, has been authorized by the Fisheries Agency.**



**Content:**

- 1. In reply to the application of your company dated 2019/05/17 .**
- 2. According to the domestic laws, the captain or the fishery operator of the transshipment declaration of ICCAT within 15 days after the date of transshipment to the Fisheries Agency for perusal.**







行政院農業委員會漁業署

## 附件十二、漁船轉載漁獲申報表

108. 6. 11

 Applied by Fishing Vessel 鯖延繩釣漁船申報  
 Applied by Carrier 運搬船申報

## Notification for Taiwan Flagged Vessels to Apply for Transshipment

| Name of Vessel<br>漁船名稱                          |                         | 順裕號 7-0548                                  |  | ICCAT List Number of Vessel<br>ICCAT 漁船名冊編號  |                  | AT000TAI00204  |   |  |  |
|---|-------------------------|---|--|--|------------------|--|---|--|--|
| Name of Carrier<br>運搬船名稱                        |                         | IBUKI (伊吹)                                  |  | ICCAT List Number of Carrier<br>ICCAT 運搬船名冊編號  |                  | AT000PAN00163  |   |  |  |
| Estimated Time of Transshipment<br>預定轉載時間       |                         | day month year<br>日 月 年 2019                |  | Caught Time of Product<br>轉載漁獲物漁獲時間  |                  | From day month year<br>To day month year   |   |  |  |
| Estimated Point of Transshipment<br>預定轉載地點      |                         |   |  | Notification to Port State Authorities before In-Port Transshipment<br>從事港內轉載者，是否業向港口國報備 |                  | <input type="checkbox"/> YES 是<br>day month year<br>日 月 年<br><input type="checkbox"/> NO 否 |   |  |  |
| Product<br>轉載漁獲物                                | Type of Product<br>處理型態 | Geographic Location of Tuna Catch<br>漁獲捕撈位置 | Catch to Be Transshipped (kg)<br>轉載量(公斤) | Catch Remained Onboard (kg)<br>留船量(公斤)   | Product<br>轉載漁獲物 | Type of Product<br>處理型態  | Geographic Location of Tuna Catch<br>漁獲捕撈位置 | Catch to Be Transshipped (kg)<br>轉載量(公斤) | Catch Remained Onboard (kg)<br>留船量(公斤) |
|   |                         |   |  |  |                  |  |   |  |  |
|   |                         |   |  |  |                  |  |   |  |  |
|   |                         |   |  |  |                  |  |   |  |  |
| Estimated Landing Country<br>漁獲預定卸售地            |                         |   |  |  |                  |  |   |  |  |
| Taiwan Tuna Association<br>台灣區遠洋鯖延繩釣漁船魚類輸出業同業公會 |                         |   |  | 蔡登欄  |                  |  |   |  |  |
| Signature of Master 船長簽名 _____                  |                         |   |  | Signature of Owner 經營者簽名 _____   |                  |  |   |  |  |

F A X



行政院農業委員會漁業署  
FISHERIES AGENCY

Council of Agriculture, Executive Yuan

No. 1, Fishing Harbor North 1<sup>st</sup> Rd., Kaohsiung, TAIWAN

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2019/6/12

**Authorization Letter on transshipment at sea**

**To: SHUN YU OCEAN ENTERPRISE CO.,LTD.**

**Subject:** Your application for a transshipment activities occurred between fishing vessel "SHUN YU"(ICCAT No. AT000TAI00204) and carrier vessel "IBUKI"(ICCAT No. AT000PAN00163), which is expected to take place in : on 2019/06/16, has been authorized by the Fisheries Agency.



**Content:**

1. In reply to the application of your company dated 2019/06/11 .
2. According to the domestic laws, the captain or the fishery operator of the transshipment declaration of ICCAT within 15 days after the date of transshipment to the Fisheries Agency for perusal.







**8. Response from Panama to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above)**

REPUBLIC OF PANAMA  
NATIONAL GOVERNMENT

MINISTRY OF AGRICULTURAL  
DEVELOPMENT

PANAMA WATER RESOURCES  
AUTHORITY

**GENERAL ADMINISTRATION OFFICE**

Panama, 28 July 2023  
AG-661-2023.

Dear Executive Secretary, Mr. Manel,

I extend my greetings to you and would like to refer to ICCAT Circular No. S23-07771 of 24 July 2023, related to the information received by the Secretariat from Greenpeace on alleged activities carried out by a Panama-flagged carrier vessel, in accordance with the provisions of the *Recommendation by ICCAT to establish a process for the review and reporting of compliance information* (Rec. 08-09).

In this regard, we inform that the report "Choppy Waters" on forced labour and illegal fishing in distant waters of Chinese Taipei, submitted by Greenpeace (Greenpeace East Asia), does not clearly specify the name and IMO number of the longline vessel that carried out transshipment activities with the Panama-flagged carrier vessel *IBUKI*, since the donor vessel in the information is only identified as "Longliner A" flagged to Chinese Taipei. In relation to the investigations carried out to generate this report, Panama therefore asks that the Secretariat request from Greenpeace additional detailed information on the alleged activity carried out by both vessels, including the name and IMO number of the vessel identified as "Longliner A" and the date on which this transshipment activity was carried out.

In relation to the above, we would like to express that we view in a very positive light the investigations carried out by the organisation Greenpeace in its campaign to eradicate abuse of human rights and activities identified as illegal fishing on the high seas. However, Panama considers that the information detailed above on the alleged activities involving the Panama-flagged vessel is necessary in order to initiate the corresponding proceedings.

Please accept the assurances of my consideration and respect

Yours sincerely,

FLOR TORRIJOS  
General Administrator

9. Response from Japan to Greenpeace on possible IUU activities on Chinese Taipei vessels (document D above)

FISHERIES AGENCY  
MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

31 August 2023

Mr. Camille Jean Pierre Manel  
Executive Secretary  
International Commission for the Conservation of Atlantic Tunas (ICCAT)

Dear Camille,

I am writing to respond to the ICCAT letter #S23-7770, regarding the information received from Greenpeace in accordance with the provisions of the *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information* (Rec. 08-09). The information is excerpted from the Greenpeace East Asia's report *Choppy Waters*<sup>1</sup>, which indicates possible non-compliance concerning a Japanese flag vessel *longliner B*<sup>2</sup> in relation to transshipments and sharks before 2019. We are wondering if this type of document is really useful since it does not provide any identification of the alleged IUU vessel.

Although Japan does not have any additional information about this possible non-compliance case against ICCAT recommendations, Japan prohibits large-scale tuna longliners operating in the ICCAT Convention area from conducting transshipment except for ICCAT authorized carrier vessels. Japan also requires large-scale tuna longliners to retain all parts of sharks on board except for head, guts and skins, until first landing. Fisheries inspectors check all documents on shark landings from the longliners and implement random inspections at Japanese ports.

Japan is prepared to investigate further if Greenpeace provides the details of this case, including the vessel name and the date.

Yours sincerely,

Shingo Ota  
Japan's Commissioner to ICCAT

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<sup>1</sup> <https://storage.googleapis.com/planet4-taiwan-stateless/2020/03/b87c6229-2020-choppy-waters-en.pdf>

<sup>2</sup> Although the information from Greenpeace does not identify this vessel as Japanese flag, the *Choppy Waters*, the original document of the information, states so.

## 10. Response from Panama to European Union on possible non-compliance (document E above)

REPUBLIC OF PANAMA  
NATIONAL GOVERNMENT

MINISTRY OF  
AGRICULTURAL DEVELOPMENT

AUTHORITY OF WATER  
RESOURCES OF PANAMA

OFFICE OF INTERNATIONAL TECHNICAL COOPERATION

Panama, 2 August 2023  
DCI-184-2023

Mr Camille Jean Pierre Manel  
Executive Secretary  
International Commission for the Conservation of Atlantic Tunas – ICCAT

Dear Sir,

I have the honor to address you and extend my greetings to you. I would also like to inform that, following the Intersessional Meeting of the Tropical Tunas Species Group (including MSE), potential reporting deficiencies on the longline fleet were identified, the fishery statistics of which, in conjunction with the Secretariat, we undertook to improve and correct.

In this regard, in mid-2023, Panama initiated a review process of the available data of the Panamanian longline fleet for 2020, based on the current SCRS rules of review which allow updates for the three most recent years (2021, 2020, 2019).

During the reviews carried out, it was highlighted the high values of the nominal catches for the different species reported in 2020, compared to the average catch for the previous years (2019, 2018 and 2017). This was also signalled by the Group during the deliberations that took place at the Sailfish Data Preparatory and Stock Assessment Meeting in June this year.

We have made efforts to verify the databases used to generate the 2020 ICCAT tasks and have identified a duplication in the sum of catches by species in the digital databases of catch per set, which is reflected in the high reporting of catch for different species in the ST02 form of nominal catches that was submitted to ICCAT. However, this was due solely to a mere mathematical error in the calculations, as this error was not reflected in the ST03 form which shows line-by-line catch and effort for this fleet.

Subsequently, the database and fishing logs were cross-checked, and the differences identified in the nominal catches, the statistical stock, sampling area and Task 1 area, as well as Task 2 catch and effort were corrected.

We have attached the updated ST02 and ST03 forms with the correct information, so that the data for Panama for 2020 can be modified in the Secretariat's records.

Yours sincerely,

Vivian Quirós  
Chief Officer in Charge

c.c. General Administration

## 11. Response from Belize to European Union on possible non-compliance (document E above)

BELIZE HIGH SEAS FISHERIES UNIT

REF: HSFU-RFMO-V10-2023(93) Vol.2

3<sup>rd</sup> October 2023

Mr. Camille Jean Pierre Manel  
Executive Secretary  
International Commission for the Conservation of Atlantic Tunas  
Madrid, Spain

**SUBJECT: SUBMISSION FROM THE EUROPEAN UNION REGARDING POSSIBLE NON-COMPLIANCE WITH ICCAT CONSERVATION AND MANAGEMENT MEASURES -BLZ:  
REF: GREAT VISION COMPANY LIMITED**

Dear Mr. Manel,

Belize acknowledges receipt of your letter dated July 25 regarding the subject matter. We appreciate your correspondence on behalf of the European Union and wish to advise the following:

Following the resignation of the Registered Agent for The Great Vision Company Limited and the failure of said company to appoint a new Resident Agent, it has been struck off the Belize Companies Registry since November 22, 2022. In accordance with section 220, subsection (1)(a) of the Belize Companies Act, 2022, *when a company has been struck off the register, the company and the directors, members, and any liquidator or receiver thereof may not:*

- (a) commence legal proceedings, carry on any business, or in any way deal with the assets of the company.*
- (b) defend any legal proceedings, make any claim, or claim any right for, or in the name of, the company; or*
- (c) act in any way with respect to the affairs of the company.*

The removal of this company from the Register effectively ends Belize's jurisdiction over the company and its owners; therefore, restricting any further action against the company and its owners. Belize has exhausted all its available options within its legal framework and have no recourse to further actions against the company and its owners.

Notwithstanding the above, section 220, subsection 3(a) of the Belize Companies Act indicates that even though the company has been struck off the register, it does not prevent it from incurring liabilities. Therefore, we recommend that additional avenues be explored to seek assistance from the relevant authorities who may have jurisdiction over the owners of the company, in this case, China. In our letter dated September 20, 2022, we provided information on the beneficial owners of the company by providing documentation showing the listing of the directors, shareholders, and ultimate beneficial ownership of the vessel.

We have taken the necessary actions within our mandate to address the issue and believe that it is crucial to now involve the relevant authorities in China to ensure a comprehensive resolution of this matter.

Please accept the assurance of our highest consideration.

Sincerely,

Valarie Lanza  
Director of High Seas Fisheries  
Head of Belize Delegation to ICCAT



**12. Response from China to European Union on possible non-compliance (document E above)**

BUREAU OF FISHERIES, MINISTRY OF AGRICULTURE AND RURAL AFFAIRS, PEOPLE'S REPUBLIC OF CHINA

13 October 2023

To: Mr. Camille Jean Pierre Manel  
Executive Secretary  
International Commission for the Conservation of Atlantic Tunas

**Subject: Reply letter from China on the Investigation result of A Chinese National Relating IUU Vessels ISRAR 2/ISRAR3 (S23-07797)**

Dear Executive Secretary,

Thank you for your information on a Chinese national relating the IUU listed vessels ISRAR 2 and ISRAR3 in your letter dated 25 July, 2023(Ref. S23-07797).

We wish to advise that China attaches great importance to this issue, while receiving your letter, this authority took an internal coordination and research with different agencies. Although the investigation on certain Chinese national is beyond the function of fisheries authorities of China and there is no legal basis in China according to existing laws and regulations to conduct such investigation, after cooperating with other authorities, we confirm the Chinese nationality of YANG Minghui (as provided by the flag state, the beneficial owner of the company GREAT VISION CO., LTD). Beyond that, we couldn't take any legal action and get any more relevant information.

Under our commitment to combating IUU fishing, we welcome that the flag state could provide more details and evidences on this issue, especially the specific relation and relevant evidences between the Chinese national and IUU fishing activities of the two vessels, after its thorough investigation as the responsibility of a flag state. It is much appreciated that the flag state or any other member could share relevant or similar information through bilateral judicial assistance channel, which would help China on further and well-founded investigation.

Please forward this letter to any related CPCs who may be interested in this matter.

Best regards,

SUN Haiwen  
Director, Division of Distant Water Fisheries  
Bureau of Fisheries, Ministry of Agriculture and Rural Affairs,  
People's Republic of China

**Additional information from Venezuela relating to allegations contained in COC\_312A/2022**

Bolivarian Republic of Venezuela  
Ministry of People's Power for  
Fisheries and Aquaculture

**DGDE-23-Nº: 0014**

Caracas, 23 January 2023

**CAMILLE JEAN PIERRE MANEL**

Executive Secretary  
International Commission for the Conservation of Atlantic Tunas (ICCAT)

I have the honor to address you and to extend to you warm greetings on behalf of all the staff who work in this Ministry, and by extension to the work team who accompanies you in your management.

I would like to draw your attention to refer to the situation of the vessel flagged to Venezuela *GONE FISHING*, following application of the penalties provided for in the Decree with the Status, Value and Force of Law on Fisheries and Aquaculture (2014) and the other regulations of the Venezuelan legal system, which were notified by way of communication No. 0278.

Based on the above, and in accordance with the mandates of the Commission to prevent, discourage and stop illegal, unreported and unregulated fishing - an element that is a commitment of the State of Venezuela - and after having carried out an exhaustive review of the case, and following due compliance by the vessel *GONE FISHING* with the administrative processes of penalty, this Fisheries Administration would like to inform the International Atlantic Tuna Commission (ICCAT), that the vessel will carry out fishing activities once it is included in the Record of Vessels of the Commission, by motion of the Bolivarian Republic of Venezuela.

I thank you in advance for your attention in this matter, and I remain at your disposal within the Ministry of People's Power for Fisheries and Aquaculture.

Sincerely,

[signed and sealed]

Pedro Emilio Guerra Castellano  
Director General of the Office  
Ministry of People's Power for Fisheries and Aquaculture