

I S O F I S H

International Southern Oceans Longline
Fisheries Information Clearing House

The Involvement of
Mauritius
in the trade in
Patagonian Toothfish
from
Illegal and Unregulated Longline Fishing
in the
Southern Ocean
and what might be done about it

ISO FISH Occasional Report No. 1

3rd Edition, August 1998

based on

Information Gathering Trip to Mauritius

by Jeff Williamson, February/March 1998

ISOFISH

ISOFISH was established following the Sixteenth meeting of the Commission of CCAMLR (the Convention on the Conservation Antarctic Marine Living resources) [CCAMLR XVI] in Hobart in November 1997. It is a joint venture between conservation NGOs and commercial fishing companies licenced to fish for Patagonian toothfish [*Dissostichus eleginoides*] within the CCAMLR area (including EEZs around sub-Antarctic islands).

The principal objective of ISOFISH is to develop the capacity to report on the activities of unlicensed longline fishing vessels within the CCAMLR area and those associated with, benefitting from, and responsible for, these illegal and unregulated activities. The information outputs are to be used to assist CCAMLR member governments to adopt and ensure compliance with conservation measures designed not only to ensure the sustainability of Southern Ocean fish stocks but also to ensure the survival of albatross and other seabird populations presently being hooked and drowned by improper deployment of longline systems by unlicensed operators.

ISOFISH has been established as an operation of the Hobart-based NGO, the Tasmanian Conservation Trust, with a Board of Management to oversee its operations. Present Board members are:

Michael Lynch, Director, Tasmanian Conservation Trust, Hobart, Tasmania (Chair).

Stuart Richey, Richey Fishing Co. Ltd. and Deputy Chair of Australian Fisheries Management Authority (AFMA), Devonport, Tasmania.

Martin Exel, Austral Fisheries, Fremantle, Western Australia (a joint venture between the Kailis & France Group and Pescanova).

Keith Sainsbury, Program Leader, Multiple Use Management of the Australian EEZ, CSIRO Marine Division, Hobart, Tasmania.

Bruce Montgomery, National Maritime Reporter, 'The Australian', News Ltd., Hobart, Tasmania.

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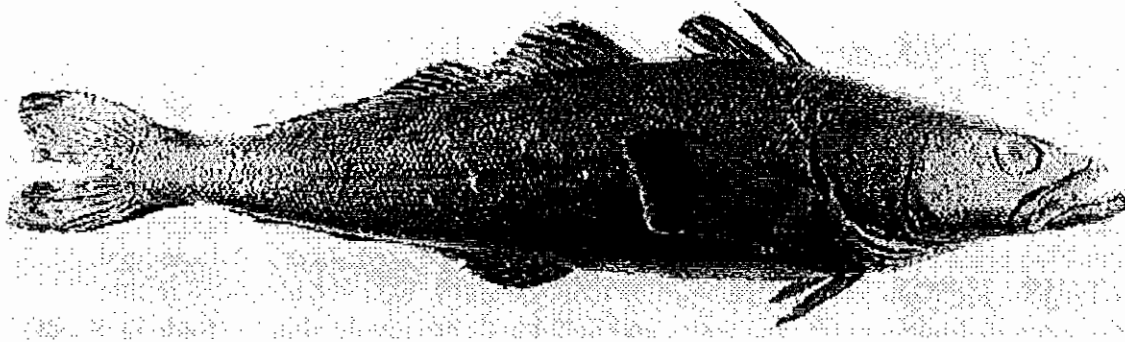


Figure 1: Patagonian toothfish [*Dissostichus eleginoides*]

Acknowledgments

ISOFISH would like to acknowledge the generous donation of \$5,400 by Melbourne-based Visy Industries, owned by Richard Pratt, which made Jeff Williamson's trip to Mauritius possible. We would also like to acknowledge the support of personnel in those companies fishing legally under national and CCAMLR regulations who have made their industry contacts, information and advice available to us. Additionally, we have greatly appreciated the enthusiastic encouragement of our scientific and conservation NGO friends and colleagues, especially those on the ASOC network.

Most importantly, however, ISOFISH would like to acknowledge the substantial debt it owes to Jeff Williamson who generously agreed to arrange his business affairs as a fish trader, refrigeration mechanic and purveyor of ice to make the trip to Mauritius for ISOFISH. His existing knowledge of the fishing industry and established networks were crucial factors in the success of the venture. Without his humour, patience and imagination, this contribution to the fight for albatross survival and sustainable fisheries would not have been possible. The views and opinions expressed in the report, however, are those of ISOFISH.

Again, such success would not have been possible without the generous support of a number of groups and individuals in Mauritius who, for obvious reasons, have not been named in this report. Despite the short term profits to be made from participation in the illegal toothfish trade, a gratifying number of people in Mauritius are already committed to stopping the illegal trade to maximise the long term sustainable potential contribution of this fishery to the local economy and to avoid the impropriety of complicit involvement in trade in illegal goods.

Finally, our thanks must go to the Tasmanian Conservation Trust and its Director, Michael Lynch, who have provided institutional and administrative support for ISOFISH which has contributed directly to our being able to get up and running quickly on the promise of funds to follow.

Alistair Graham
ISOFISH Coordinator
March 1998

A Plea for Help

This report is based on the limited information presently available to ISOFISH of a standard of reliability sufficient to warrant publication. The picture we have of what is going on in and around Mauritius is far from complete. We know many more boats involved in illegal and unregulated fishing are connected with Mauritius than those few we have identified in this report. We know that many more companies and individuals are involved in the trade in illegal toothfish and that the ramifications within the Mauritius economy and society and beyond are greater than those we have identified so far.

If you, the reader, can help by correcting, complementing or supplementing any of the information or ideas contained in this report, please do not hesitate to contact us - confidentially or anonymously, if you wish. In particular, if we have erroneously identified the nature or extent of any country, company or individual in the trade in illegally caught Patagonian toothfish, please let us know so that we can make the appropriate corrections and apologies.

The success of ISOFISH in attempting to persuade governments to cease their involvement in illegal longline fishing for, and trade in illegally caught, Patagonian toothfish (and to constrain similar involvement by their companies and citizens) rests entirely on the preparedness to help of those who are involved in or associated with the trade but are concerned for sustaining commercial fisheries and ensuring the survival of species of albatross.

Telling us what you know about boats, companies and individuals involved in the Patagonian toothfish trade, however small and trivial such involvement may seem to you, is one way you can help. This is an urgent matter. Scientists acknowledge that albatross species will start becoming extinct and toothfish fisheries will start collapsing to commercial extinction within just a few years unless urgent and comprehensively effective action is taken to stop illegal longlining for Patagonian toothfish.

Notes to the 3rd Edition – Apologies to FAIL

This third edition of our 'Mauritius report' contains a number of changes based on new information which has come to hand since its publication and in response to its publication. In particular, two major errors have been corrected. Firstly, we acknowledge that, while IQF quality fish may be being landed in Mauritius, the fish is being sold into the same markets as block frozen product because neither the transport infrastructure nor the markets have been developed to permit the wholesaling of IQF product.

Secondly, we incorrectly identified the Mauritius company, FAIL (Food & Allied Industries Ltd.) and its Chairman, Mr Michel de Speville, as having connections with and responsibilities for Seabourne in its activities as a shipping agent in Port Louis servicing longliners involved in illegal fishing operations. We have unreservedly apologised to FAIL for this error and for any prejudice which may have been caused and have corrected the text accordingly. We have also circulated this letter of apology to recipients of the original version of this report at FAIL's request.

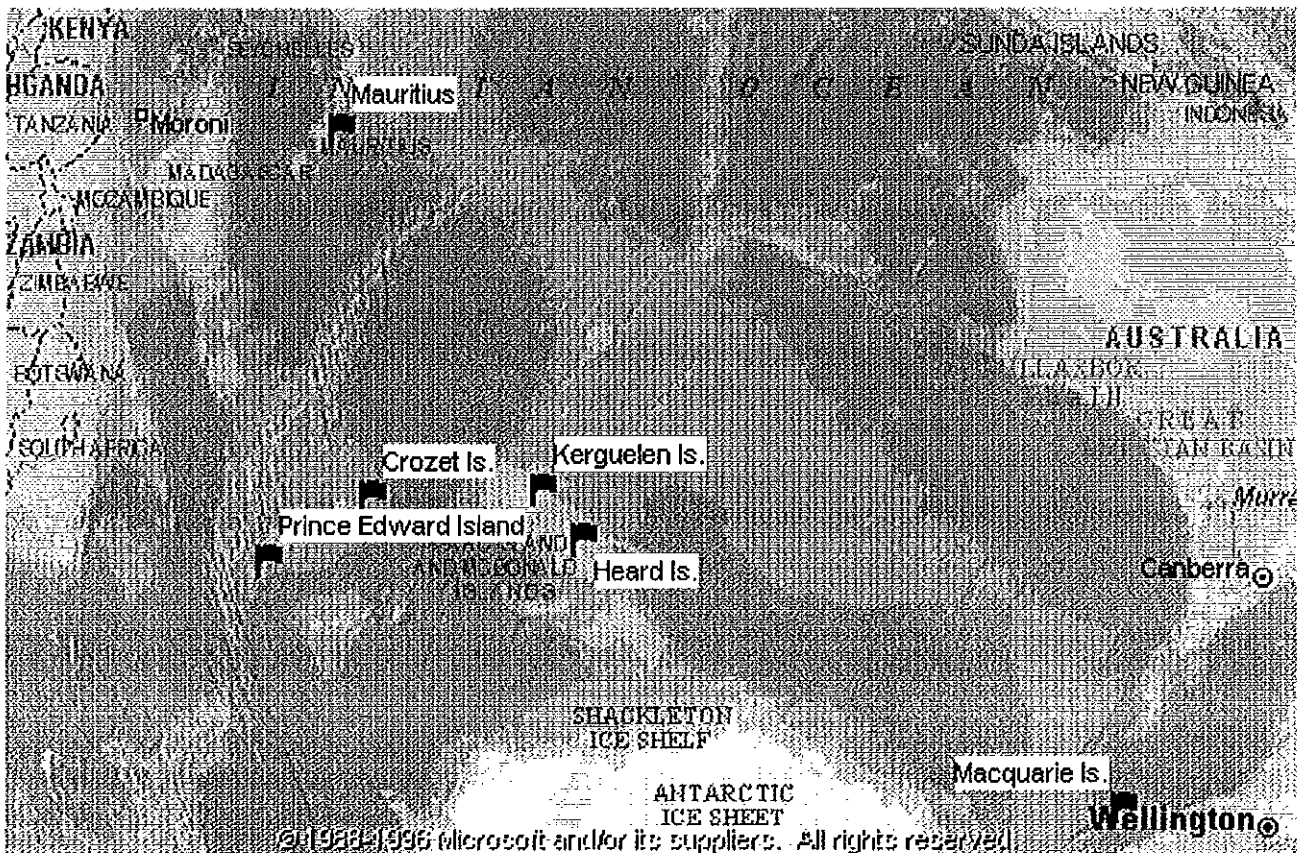
Alistair Graham
August 1998

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**Figure 2: Mauritius in relation to the Sub-Antarctic Islands
subject to Illegal and Unregulated Longlining**



1. Summary & Recommendations

1.1 Mauritius deserves its epithet, 'the Pirate capital' for longliners poaching Patagonian toothfish

ISOFISH concludes that Mauritius has a near-monopoly on the landing of about 10,000 tonnes/year of IQF quality toothfish caught by longliners equipped with blast freezers (and also using the Mustad longline system) and operated by Faeroe Islander (Danish) and Norwegian interests - the Vikings. Surprisingly, however, despite being of a quality sufficient for sale into sashimi markets in Japan where they could fetch prices as high as US\$6-10/kg (hgt), these fish are sold into the same markets as the lower quality, block frozen product.

Mauritius also handles about 40% (25,000 tonnes/year) of the trade in this lower quality, block frozen toothfish caught in the southern Indian Ocean sector of the Southern Ocean by longliners equipped with plate freezers (most of which are also using the Spanish longline system) and which fetch prices of around \$3-\$3.50/kg (hgt). This trade is dominated by boats from Argentina and Chile - the Spanish Armada.

1.2 Mauritius should be invited to join CCAMLR at once.

Mauritius is now so heavily involved in fisheries activities within the CCAMLR area that they really ought to join CCAMLR so that the Government can participate in decision-making with respect to adoption of conservation measures and be bound by the outcome of deliberations. Mauritius is under pressure to join CCAMLR for two reasons: firstly, they allow their port facilities to be used for the transshipment of toothfish landed by unlicensed longliners; and, secondly, they are contemplating issuing licences to Mauritian fishing companies to fish in restricted CCAMLR waters. We urge existing CCAMLR member governments to approach the Government of Mauritius without delay.

1.3 Mauritius should cease involvement in trade in illegally caught Patagonian toothfish

The Mauritius Government should not be openly supporting and encouraging perpetrators of illegal acts within the sovereign jurisdiction of other countries. Initially, the Committee of Ministers should decide, immediately, to enforce existing regulations with respect to the proper identification of ships entering its ports and the proper documentation of cargo origins and destinations - authorities should no longer accept 'high seas' as an adequate declaration.

Additionally, new regulations should be adopted which require all deep sea fishing vessels wishing to enter its ports to be fitted with VMS (vessel monitoring system) which can be remotely polled by Mauritian authorities and require valid fishing licences to be shown and that records of such vessel movements be kept. Inter alia, these new regulations should ensure port access is refused to longliners which do not comply.

1.4 All countries identified as involved in the illegal toothfish trade (see Chapter 7) should cease involvement and/or prevent such involvement by its nationals

A large number of countries are involved in and/or benefit from illegal and unregulated fishing for Patagonian toothfish and/or the trade in fish and fish products derived therefrom. The

Governments of countries identified as involved are urged to conduct comprehensive investigations to determine the extent of their involvement and of the involvement of their companies and citizens. All governments should immediately cease or prevent any such involvement as soon as it is brought to their attention. Insofar as their present laws and regulations are insufficient or inadequate, new laws and regulations should be effected as soon as practicable to remedy any deficiencies.

1.5 Countries with EEZs must do more to stop toothfish Poachers

All those countries which have declared EEZs are principally responsible for enforcing fisheries management regulations promulgated under their national laws. While everyone acknowledges the extreme difficulties of asserting sovereign rights over EEZs around remote sub-Antarctic islands, countries seeking the help of others to assert those rights have an obligation to take all practicable steps to enforce any measures they might apply within their EEZs before seeking the help of others. Developing countries, such as Mauritius, have a reasonable expectation that OECD countries which have declared EEZs will allocate the necessary resources to enforce management rules within their jurisdiction. Insofar as it may be more effective and efficient to implement regional or global trade measures instead of a marginal increase in local enforcement measures, these same developed countries should expect to help developing countries to implement and enforce such measures.

1.6 Preferential access to EEZs and the CCAMLR area should be given to longliners equipped with the Mustad system and targeting the sashimi trade

Because of the intense conflict between commercial longlining and albatross survival, only longline operations which produce top quality fish product can be justified. Fishing for lower quality bloc frozen product should be restricted to trawling. That there is a marked differentiation between users of Mustad and Spanish longline systems spatially, with respect to seafloor depth (see Chapter 4.6) and potential for market separation as well, with respect to price (see Chapter 4.3), implementing such a policy is worth further consideration. That IQF quality fish are being landed but not wholesaled represents a substantial loss of value within the fishery. Any operator willing and able to develop access to sashimi markets for Patagonian toothfish should be given preferential access to the resource.

1.7 The Vikings should be encouraged to forsake illegal fishing in favour of applying for separate IQF quality toothfish quotas and retaining Mauritius as their base of operations.

CCAMLR member governments, including those which have declared EEZs, should be encouraged to separate Patagonian toothfish fishing grounds into trawl only and Mustad IQF longline only zones and to set separate allowable catches for each zone. Preference in the allocation of quotas should be given to operators capable of landing IQF quality fish and selling it into sashimi markets for premium prices.

The Vikings, with their state of the art boats and equipment, should be encouraged to forsake their illegal ways and, along with anyone else who wishes to do so, to apply for licences to fish for IQF quota and to develop sashimi markets for Patagonian toothfish. This could be done by their entering into joint ventures with existing licenced operators. The need to maintain recruitment of large fish into IQF longlining zones should also serve to create commercial pressure to set precautionary catch limits in trawl zones.

The principal reason for wanting to advocate such a course of action is to minimise the economic dislocation, to both the Mauritius economy and to the Vikings, of Mauritius closing its ports to longliners fishing illegally within EEZs or unregulated within CCAMLR waters and so minimise the political difficulty of bringing about such a closure. Those Vikings which did forsake illegality would then be under no pressure to leave Mauritius, thus further minimising the adverse impact on Mauritius and themselves and their established trading relations.

1.8 The local Mauritius fishing industry should be given an opportunity to participate in the Patagonian toothfish fishery

Mauritius has already made significant investment in infrastructure and services to support the Patagonian toothfish trade and the economic implications of an immediate cessation of involvement in this fishery would be significant, especially insofar as revenue is used to help finance development of their new Freeport zone. The local fishing industry, having seen the level of support given to foreign poachers, are quite justifiably keen to get a piece of the action for themselves and the Government is under domestic pressure to issue licences to local operators - thus exacerbating the illegal fishing problem. The most elegant solution to this problem would be for those Vikings who want to forsake illegality to enter into joint ventures with local Mauritius interests and so maintain access to excellent port facilities.

1.9 Mauritius should be assisted with other development projects as an inducement to close its ports to illegal and unlicensed longliners.

While CCAMLR countries and countries with EEZs may have the moral high ground from which to demand that Mauritius closes its ports to illegal and unregulated longliners operating in the CCAMLR area, the politics of success requires that a fair assessment is made of the cost to Mauritius of doing so. This cost must be set against the costs which CCAMLR countries, including those with EEZs, are unwilling or unable to incur themselves to ensure compliance with CCAMLR regulations and national laws.

Insofar as such an assessment must inevitably result in inter-governmental negotiations with Mauritius with respect to the terms upon which it feels that cessation of its involvement in illegal and unregulated toothfish fishing is warranted, we have identified a number of projects which other governments might like to consider encouraging and supporting:

- * maintaining the economic viability of, and building regional support for, Mauritian plans to become the 'Singapore' of the Indian Ocean as a major trading centre based on the Port Louis freeport zone;
- * investment in value-adding, down-stream processing of whole fish presently being transhipped through Port Louis - one of the things the freeport zone is establishing is the infrastructure to encourage and support the fishing industry to grow into one of the major league contributors to the national economy;
- * improved management of fisheries resources within Mauritius' very large EEZ.
- * improved public investment in transport infrastructure to facilitate these and general economic development strategies.
- * implementation of the Midlands Dam project.

2. Background

CCAMLR Member Governments have lost control of fisheries management in the Southern Ocean in the last couple of years as a massive breakout of illegal, unregulated and unreported fishing ['illegal' fishing] for *Dissostichus eleginoides* [Patagonian toothfish] on continental shelves throughout the area has destroyed the effectiveness of conservation measures applied to authorised fishing vessels. The larger *D.eleginoides* stocks are found within EEZs of South Africa, France, Australia and New Zealand around their sub-Antarctic islands.

This 'illegal' fishing not only destroys commercial fisheries but exacerbates the problem of incidental mortality of albatrosses and other seabirds (which dive on the baited hooks of longline fishing boats as they are being set) because the 'illegals' do not use the mitigation measures which have been developed by CCAMLR in recent years (such as no fishing during the breeding season, only setting longlines at night, no discharge of offal during setting and trailing streamers to ward off birds).

Some five species of albatross are listed as threatened by IUCN and 13 have been added to appendices I & II of CMS (the Bonn Convention for the Conservation of Migratory Species of Wild Animals) and the conservation status of Antarctic birds is likely to deteriorate further as estimates of seabird deaths (by drowning when caught on longline hooks) soar to more than 100,000 a year.

While Governments all articulate appropriate commitment to bring illegal fishing under control, the measures adopted at CCAMLR XVI will do little to help. The Commission even failed to make use of automated, remotely polled vessel monitoring systems [VMS] mandatory. Discussion of port control and trade measures (which are most likely to hurt illegal fishers) have been put off until next year - their adoption could be years away yet. Many countries, including Australia, do not even have adequate laws and penalties sufficient to effectively deter finfish pirates and poachers.

Overfishing in the CCAMLR area is nothing new. Blatant overfishing by the then USSR in the 1980s destroyed stock after stock, mainly of *Notothenia rossii*. Sustained scientific and diplomatic effort had succeeded in bringing finfishing generally under control by the mid 1990s with catch limits (TACs) being set on the basis of scientific advice for most stocks. Aggregate TACs for Patagonian toothfish are now around 10,000 tpa compared with recorded catches measured in hundreds of thousands of tonnes in the late '80s.

In the last couple of years, however, the commercial 'discovery' of the suitability of the Patagonian toothfish (*Dissostichus eleginoides*) to substitute for the collapse of market supplies of over-exploited white-fleshed species (like orange roughy and black cod) at prices around US\$10/kg hgt has not only led to a rash of applications for authorised access to *D.eleginoides* stocks associated with continental shelves throughout the Southern Ocean but also to an avalanche of 'illegal' fishing.

While authorised TACs for *D.eleginoides* may only be around 10,000 tpa, the illegal catch is estimated to be around 80,000 tonnes (from port landing and market import statistics). Estimates of catch based on estimates of 'illegal' fishing effort put the tonnage at substantially higher levels. This is not only a disaster for the credibility of CCAMLR Governments but also a disaster for legal fishers - as prices have slumped this year to just above US\$3/kg hgt.

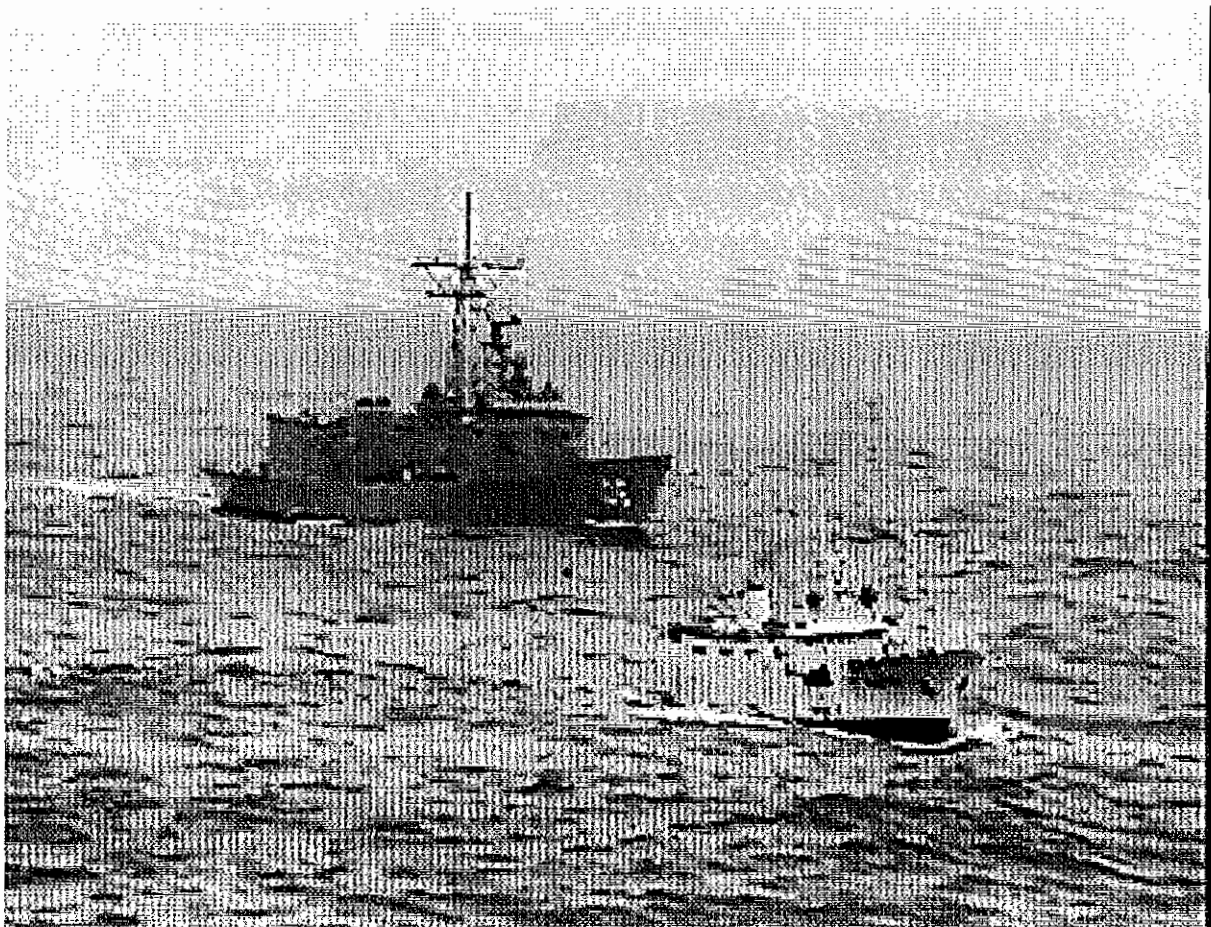
Many of the illegal fishers are companies from CCAMLR member countries - mainly Spain and Norway. They had been operating out of Chile and Argentina quasi-legally (with licences which they habitually ignored) but are now turning up with flags of convenience like Panama, Belize, Namibia and Vanuatu - or even with no flags at all! South Africa, France and Australia have all noted illegal fishers in their EEZs by the dozen.

A major fisheries smash and grab raid is underway and likely to last for up to five years as previously unexploited stocks are fished to commercial extinction. Governments presently appear powerless to stop it. A very substantial increase in government determination and commitment to hound illegal fishers in EEZs, on the high seas, in ports and in the marketplace (mainly in Japan and the USA) will be needed to change this. A multi-million dollar industry and the survival of several species of albatross is at stake.

Nomenclature

Keeping track of the poachers is made more difficult by the fact that Patagonian toothfish goes by various trade names - while scientists know it as *Dissostichus eleginoides*, Japanese and other Asian markets know it as Mero and others know it as Sea Bass. To further complicate things, various adjectives are used by traders and fishers alike to describe where it comes from, like 'Chilean' Sea Bass. In southern Chile, fishermen know it as *Merlusa nigra* (black hake).

Figure 3: The BIG STAR under escort by the Australian Navy following her arrest in the Heard Island EEZ, 4 March 1998



3. Introduction

In mutual recognition of the time gap between when scientists estimate that both Patagonian toothfish stocks will be commercially extinct and albatross populations will start becoming extinct (three to four years) and when governments are likely to adopt and implement effective measures to do something about it (within five years), industry and conservation NGOs got together to persuade governments to act more swiftly. ISOFISH, the International Southern Oceans Longline Fisheries Information Clearing House, hosted by the Tasmanian Conservation Trust, was established with \$50,000 seed money from companies with legal, licensed boats fishing for Patagonian toothfish and a subsequent promise of matching seed money from the Australian Federal Minister for Antarctic Affairs.

Initial network liaison and information collation work readily and rapidly established that Mauritius was widely regarded as the 'pirate capital' of the illegal and unregulated Patagonian toothfish fishery even if at least half the tonnage caught goes to as yet unknown destinations, probably in southern South America. Perhaps half of the entire trade in toothfish goes across the wharves of Port Louis or is transhipped to cargo ships at sea coordinated from Mauritius. ISOFISH therefore decided to send someone to Mauritius with three principal objectives in mind:

To collect historical information on longline fishing boat activities in Port Louis in the hope that ISOFISH could comprehensively document boat traffic and so reliably estimate the scale of the illegal trade.

To observe and record movements of both longliners, and the fish offloaded from them, with the intention of building up a reliable picture of the nature, scale and destination of that part of the trade in toothfish going through Mauritius.

To build a comprehensive network of contacts in Mauritius to ensure that information flows to ISOFISH are maintained and developed.

Additionally, the trip was planned to develop communications systems and media liaison opportunities with a view to facilitating repetition of the exercise in other ports and countries known to be, or suspected of, supporting and benefiting from the illegal trade in toothfish with or without any on the ground presence from ISOFISH.

Sources & References

Given the nature of the communications upon which this report is based, sources are not formally referenced - with few exceptions, they simply do not rate publication in journals! Initials in square brackets identify the source relied upon for particular portions of text in this report. These sources are identified in Appendix 7.3 at the end of this report. The material might be a conversation, a letter or a document acquired from elsewhere. Wherever possible, information has been verified by cross checking with other sources and has only been included in the report where ISOFISH is confident that it is consistent with things we know and with the truth as far as we know it.

Additionally, Mauritius has decided to establish a freeport zone and to invest in extensive infrastructure to support trading activities within the zone, including two huge freezer complexes and a vast container park. The long term strategy is to create a 'Singapore' in the Indian Ocean. The Mauritius Freeport Authority has been set up to implement the strategy to create and manage the freeport zone. This is discussed further in Chapter 6 below.

Figure 5: View of Port Louis from the Air



Figure 6: Map of Port Louis Harbour

(Deleted from this edition due to technical difficulties)

4.2 Instances of Longline Fishing Boat Movements in Port Louis

Jeff Williamson's trip was timed for late February/early March to coincide with the opening up of the Patagonian toothfish fishing grounds within the CCAMLR area to licensed fishing boats. Anecdotal information from licensed commercial operators and fisheries scientists at the CCAMLR XVI meeting in Hobart in November 1997 led us to assume that many of the illegal and unregulated longliners would leave these fishing grounds beforehand to avoid the risk of detection by licensed boats.

We therefore hoped that we would identify a suite of fishing boats and their Mauritius connections as they came into port at the end of their 'illegal' fishing season. This was partially successful in that we were able to get a good picture of the extent of activities of Norwegian and Danish interests and the role played by South African interests but not Spanish, Chilean and Argentinian interests. Most of these latter fishing vessels were reported to have left by the end of February [AF].

The following boats using harbour facilities in Port Louis were identified as being involved in the trade in illegal Patagonian toothfish - these boats were unlicensed by either CCAMLR, coastal states having established EEZs around sub-Antarctic islands, or by their flag or home states (where applicable legislation applies). They had thus been fishing illegally (in breach of national laws applying to EEZs) and/or in breach of CCAMLR regulations (which is a breach of international law for those boats flagged to states which are CCAMLR signatories). It rapidly became clear that there are two very distinct and different groups of longline fishing boats and associated companies and markets.

Firstly, there are Norwegians and Faeroe Islanders using the Mustad longline system to catch large Patagonian toothfish in deeper water (down to 2,500 metres) which are individually quick frozen [IQF] for the Japanese sashimi and fillet markets. We have called these interests, the 'Vikings' (involving Norway and Denmark's autonomous region, the Faeroe Islands).

Secondly, there are a large number of Chilean and Argentinian boats, not many of which have been identified as having dealings in Mauritius, most of which use the Spanish longline method and catch relatively smaller fish in less deep water, down to 1,500 metres, (which are mostly block frozen and subsequently sold into the restaurant trade in the USA, EU and Japan after reprocessing in other countries. We have called these interests, the 'Spanish Armada' (a host of Spanish, Chilean and Argentinian boats which sweep across the Southern Ocean from southern South America, pillaging sub-Antarctic EEZs as they go).

We estimated that the average trip time for illegal longliners using Mauritius was about five weeks for fishing around Heard & MacDonald Islands and about four weeks for the Crozet Islands and Prince Edward Islands. This was based on average catch rates for longliners using the Mustad system of about 15 tonnes/day. A usual bout of 15 days fishing could therefore be expected to yield about 225 tonnes of toothfish. The rest of the time is taken up with steaming and weather delays. Limitations in supplies of fresh food and water and demand for shore leave (in the absence of comprehensive servicing by mothership freighters) forces all but the hardest of longliner crews to return to port on about this timetable [JW].

Longliners reported to be using Port Louis

1. Cindy [a Viking]

Vanuatu flagged, registered in Port Vila. Pennant no.: KG.21, red hulled, yellow superstructure. Previously named the **Nordal Dan** - then Danish flagged and registered in Klaksvik, Faeroe Islands. One of five longliners owned by the Cindy Fishing Co of which Norwegian, Oddvar Veia, is the operational manager. Fitted with blast freezers to allow the production of quality IQF product. Still operated and crewed by 'Vikings'. Sighted by the French in their EEZ on 16 December 1997. Came into port with name, call sign and pennant number painted out. The only distinguishing mark was 'Port Vila' as port of registry. Offloaded 205-210 tonnes of Patagonian toothfish at 70 tonnes/day on 24th & 25th February 1998 directly into the Froid de Mescareignes freezer facility, Port Louis [JW]. It was reputed to have had good fishing well to the south of Heard Island, possibly on the Banzare bank [AF].

2. Cevita [a Viking]

Vanuatu flagged, registered in Port Vila. Black hull with white stripe and white superstructure. Identified itself as 'the **Golden Sun**' when coming into Mauritius. Photographed with the name '**Golden Eagle**' painted on when in Port Louis in late February 1998 after unloading. Assumed to be fitted with blast freezers to allow the production of quality IQF product. Second of five longliners owned by the Cindy Fishing Co. Sighted by the French in their Kerguelen EEZ on 8 December 1997 and again on 13 December [JW].

3. Celina [a Viking]

Vanuatu flagged, registered in Port Vila. Third of five longliners owned by the Cindy Fishing Co. Assumed to be fitted with blast freezers to allow the production of quality IQF product. Not sighted in Mauritius but understood to be working out of Mauritius with the Cindy and Cevita [JW].

4. Pallihja Marianna (or Pallihja Mariannu) [a Viking]

Danish flagged, registered in Hovik, Faeroe Islands, previously named the Polar Sea; call sign: OW.2169, pennant no.: KG.691. Fourth of five longliners owned by the Cindy Fishing Co. It is a trawler converted to longline fishing. Blue hulled, white superstructure. Refitted with blast freezers to allow the production of quality IQF product. Sighted by the French Navy in their Kerguelen EEZ on 25 September 1997. Observed unloading toothfish in Port Louis on 24 February 1998 [JW]. Her licence to fish in South African waters expired on 12 May 1997.

2. Tugvusteinur [a Viking]

Danish flagged, registered in the Faeroe Islands. . Fifth of five longliners owned by the Cindy Fishing Co. Black hulled, white superstructure, with bow thruster. Sighted in Mauritius, late February [JW].

6. Monte Confurco [assumed to be a Viking]

South African flagged, Cape Town registered. Pure white; call sign: ZA.326. Taiwanese designed and built, a fine boat, probably originally used for tuna longlining. Fitted with blast freezers to allow the production of quality IQF product. Departed Mauritius on 23 February 1998 having finished offloading toothfish [JW].

7. Cape Flower

Panamanian flagged, Panama City registered. Black hull, white superstructure; call sign: HP.7723. Operated by the Hout Bay Fishing of S.A.. Fitted with plate freezers to produce block frozen product. Landed 180 tonnes of toothfish in Port Louis earlier in the year [AF] and, again, landed 200 tonnes of block-frozen toothfish in unmarked cartons into containers owned by USA container company, MAERSK on 6th & 7th March [JW]. She had been at sea for two months, twice the usual trip time. It is likely, therefore that she had also been transferring catch to a freighter at sea [JW].

8. Explorer

Panamanian flagged, Panama City registered. Red hull, white superstructure; call sign: HP.8630. Previously named the **Krill**. Owned by Panama-based Atlantic Fishing Enterprises [GA] and operated in association with the Hout Bay Fishing Co. along with the Cape Flower and Arctic Fox. Brian Flanagan unconfirmed as her owner/operator [JW]. Landed 150 tonnes in Port Louis earlier in the year [AF]. Previously reported landing 150 tonnes at Walvis Bay after its permit to land fish in South Africa ran out on 31 December 1996. Later sighted in Kerguelen waters on 6 February 1997. When named the Krill, it was owned by Norwegian company, Kirkelandfisk (after the CEO, Terje Kirkeland) and operated by a Kirkelandfisk/ South African joint venture which pioneered fishing for Patagonian toothfish in the Indian Ocean sector out of Cape Town in 1996 [GA].

9. Arctic Fox

Belize flagged. Converted trawler, black hull, white superstructure, orange above bridge; call sign: V3WJ6 or KUS 6392. Described by Lloyds as an ice-strengthened tug. Owned by USA company, Favorite Holdings Inc. [Immarbe, 1310 NW 18th Ave., Miami, Florida, USA] and leased to the Hout Bay Fishing Co.[JW]. Fitted out for longlining in Walvis Bay in August 1997 and sighted by the French Navy in their Kerguelen EEZ on 28 January 1998.

10 Sea Fox [a Viking]

Cyprus flagged, registered in Limassol. Previously, the Danish flagged **Ran** registered in Vagur, Faeroe Islands. Possibly also owned and operated by the Cindy Fishing Co.. It is a large, 65 metre, 500 tonne capacity, converted trawler, refitted with blast freezers to allow the production of quality IQF product. Unloaded 200 t. at Port Louis in early March 1998. Reputed to have been poaching in Australian Heard Is. EEZ [JW].

11 Alida Glacial [a Viking]

Argentinian flagged, registered in Buenos Aires. Built as one of a pair with the Aliza Glacial in 1996. 50 metres, red hull, white superstructure; no call signs, pennant no.: G. Purpose-built longliner fitted with blast freezers to allow the production of quality IQF product. Owned and operated by the Norwegian Glacial Co./Birthing Co. based in Buenos Aires. State of the art in every respect, including fitted with latest Mustad longline system using 12mm monofilament line (to minimise breakages in deep water). Came into Port Louis on 27 February 1998 and, in a clean and highly efficient joint operation with the Caroline, unloaded directly into Mitsui OSK containers marked 'Tokyo/Yokohama trade only' or 'Singapore/south east Asia trade only'. A total of 180 tonnes was rapidly offloaded from both vessels that day. The containers were subsequently transferred to the new freeport zone's container park.

12. Aliza Glacial [a Viking]

Argentinian flagged, registered in Buenos Aires. Built as one of a pair with the Alida Glacial in 1996. 50 metres, red hull, white superstructure; no call signs, pennant no.: G. Originally owned by the Glacial Co. but transferred to Panama based Ravenor Overseas Co. before entering Australian waters. Purpose-built longliner fitted with blast freezers to allow the production of quality IQF product. State of the art in every respect, including fitted with Mustad longline system using the new 12mm monofilament line. Presently (April 1998) under arrest in Fremantle, Australia, pending the outcome of various court proceedings following her arrest last year.

13 Caroline Glacial [a Viking]

Panamanian flagged, registered in Panama city. Built as one of a pair with the Christina Glacial in 1997. 55 metres. Owned and operated by the Glacial Co./Birthing Co. based in Buenos Aires. No call signs, pennant no.: G. Purpose-built longliner fitted with blast freezers to allow the production of quality IQF product. State of the art in every respect, including fitted with Mustad longline system using the new 12mm monofilament line. Came into Port Louis on 27 February 1998 and, in a clean and highly efficient joint operation with the Alida, unloaded directly into Mitsui OSK containers marked 'Tokyo/Yokohama trade only' or 'Singapore/south east Asia trade only'. A total of 180 tonnes was rapidly offloaded from both vessels that day. The containers were subsequently transferred to the new freeport zone's container park. A party of visitors, including the PDG/CEO of French fishing company, Sapmer, Mr Jacques Dezeustre, photographed boarding on 28 February 1998 [JW].

14. Christina Glacial [a Viking]

Panama flagged, registered in Panama City. Built as one of a pair with the Caroline Glacial in 1997. 55 metres. Owned and operated by the Glacial Co./Birthing Co. based in Buenos Aires. No call signs, pennant no.: G. Purpose-built longliner fitted with blast freezers to allow the production of quality IQF product. State of the art in every respect, including fitted with Mustad longline system using the new 12mm monofilament line. Arrived in Port Louis on 28 February 1998 but made no attempt to unload for several days [JW]. Filmed unloading an unknown tonnage of toothfish on the night of 4 March by French TV Co. [RFO].

15. Praia do Rostello

Portuguese flagged, registered in Lisbon. Reputed to be owned by Spanish interests. Arrested by the French Navy on 13 January 1998 and still moored in Reunion (as at March 1998) [SM]. Operated by Kuttel brothers' Aluship Co.. Uses Seabourne as its Mauritius agent. Observed in South Africa's Prince Edward Is. EEZ on 28 September 1996. Observed landing toothfish at Walvis Bay (Namibia) and East London (SA) in 1997. Last observed, prior to its arrest, leaving Cape Town for fishing grounds on 5 September 1997.

16. Kestrel

Mauritius flagged, registered in Port Louis. Taiwanese-style longliner completely refitted in Port Louis very recently specifically to target Patagonian toothfish (too new to have a history). Fitted with blast freezers to allow the production of quality IQF product. Owned and operated by Mauritius company, Associated Austral de Peche [JW], and reputedly bankrolled by Spanish and French interests [SM]. The Director of Associated Austral de Peche is Alain Topsey, known locally as 'the Australian' [JW].

17. Big Star [Spanish Armada]

Seychelles registered. Taiwanese style; call sign: HQJL5. Previously recorded as being Honduras flagged, registered in San Lorenzo. Fitted with blast freezers [AF]. Not known in Mauritius. Applied for but was not granted a South African fishing permit in 1997. Sighted in the Kerguelen EEZ on 5 January 1998 and arrested by the Australian Navy on 4 March 1998 with 140 tonnes of toothfish on board.

18. Mar del Sur I [Spanish Armada]

No sightings in Mauritius but identified as using Seabourne, as its agent in Mauritius [JW].

19. Mar del Sur II [Spanish Armada]

Argentinian flagged, registered in Ushuaia, Patagonia. Call sign: LW.9591 (identified with call sign: C8.3544 in Crozet waters in 1997). Owned and operated by Spanish interests with a Spanish captain. Landed 240 tonnes of toothfish in Port Louis earlier in the year [AF]. Subsequently arrested by the French in early February with 50 tonnes of toothfish on board but only fined FFr2M in curious circumstances [SM]. Apparently, under French law, the Captain of the boat is the target of French legal action (not the owner/ operator). In response, operators are reputedly rotating captains to avoid arrest of captains with 'form' - previous history of arrest for illegal fishing - to avoid heavy fines [JW].

20. Norse Pride [an ex-Viking]

Expected to be Mauritius flagged, registered in Port Louis and may be renamed. Presently Panama flagged, registered in Panama City. Blue hull with white stripe, white superstructure, blue top of bridge; call sign HP.8775. Previously named the **Polar Sea** and Danish flagged, registered in the Faeroe Islands. Very similar in size and style to the first Glacial boats (built by the same shipyard) including being fitted with blast freezers to allow the production of quality IQF product. Sighted in the Crozet Is. EEZ on 10 March 1997 and then fishing illegally in the South African EEZ around Marion Is. on 8 April 1997 and, again, in the Australian Heard Is. EEZ on 20 April 1997. Landed 240 tonnes in Port Louis earlier in the year [AF] before going into dry dock for a refit. Following this refit, she was refloated without ballast and subsequently turned turtle and sank at her moorings. She has since been refloated and sold to local Mauritius interests, Henri Boullee and Benoit Lenoir [JW].

21. Puerto Madryn [Spanish Armada]

Belize flagged, registered in Belize City. Previously Argentinian flagged. Call sign: V3TR8. Owned by the Clayton Trading Co. SA. Detected in the Australian Heard Is. EEZ on 8 April 1997. Uses Adam & Co. as its Mauritius agent (which also coordinated the refrigerated freighter, Orense) [JW].

22. Cisne Verde [Spanish Armada]

Chilean flagged, registered in Valpariso. Grey hull, red underwater mark, white superstructure; call sign: CB.4109. Owned by Chilean company, Pesca Cisne. Sighted fishing in the Crozet Is. EEZ on 5 January 1997. Reported landing 180 tonnes in Port Louis earlier this the year [AF].

23. Ons [Spanish Armada]

Belize flagged, registered in Belize City. Call sign: V3TM8. Owned by the Clayton Trading Co. SA. A 1996 permit to land and sell toothfish in South Africa not renewed. Uses Adam & Co. as its Mauritius agent (which also coordinates the refrigerated freighter, Orense). Reported landing 180 tonnes in Port Louis earlier in the year [AF].

24. Tona Larten

Reported landing 180 tonnes in Port Louis earlier in the year [AF].

25. Alshisha

Reported landing 130 tonnes in Port Louis earlier in the year [AF].

26. Elque [Spanish Armada]

Chilean flagged, registered in Valparaiso. Call sign: CB 3799. A 1996 permit to land and sell toothfish in South Africa not renewed. Reported landing 200 tonnes in Port Louis earlier in the year [AF].

27. Fisher

Reported landed 180 tonnes in port Louis earlier in the year [AF].

28. Merced [Spanish Armada]

Panama flagged, registered in Panama City. Call sign: HP.6919. Sighted fishing in the Crozet Is. EEZ during 13-22 March 1997. Reported landing 104 tonnes in Walvis Bay, Namibia, on 15 July 1997. Landed 160 tonnes in Port Louis earlier in the year [AF]. Later, a Spanish crew member was seriously injured in an accident on board who was landed at the French base on Crozet Island and rushed to hospital in Reunion by a French naval frigate - an action which undoubtedly saved the sailor's life [SM].

29. Orense [Spanish Armada]

Argentinian flagged, registered in Buenos Aires. Call sign: LW.9099. A refrigerated freighter owned by Argenova, the Argentinian subsidiary of the giant Spanish fishing company, Pescanova. Reportedly coordinated by Seabourne, in Mauritius [JW]. Reportedly took on board toothfish from longliners, Estella and Fiji in 1996 and subsequently landed a substantial tonnage at Walvis Bay, Namibia. Reported to have sunk at sea with no loss of life in January 1998 [AF].

30. Verdugo [Spanish Armada]

A refrigerated freighter owned and operated by the huge Chilean fishing company, Integracion SA which picked up 1100 tonnes of Patagonian toothfish from Mauritius in mid February for transport to Chile for processing and re-export.

31. Ekuelle [Spanish Armada]

A refrigerated freighter. No known Mauritius connection. Reported taking on substantial tonnages from South Africa in 1996.

32. Chatir Dag

Ukraine flagged trawler. Call sign: FB.7209. Working legally in France's Kerguelen EEZ and landed 300 tonnes of toothfish in Port Louis earlier in the year [AF] and another 400 tonnes in late February [JW].

**Two Viking longliners offloading Patagonian toothfish,
Port Louis, February 1998 [Photos: ISOFISH]**



Figure 7: Caroline Glacial offloading toothfish in Port Louis

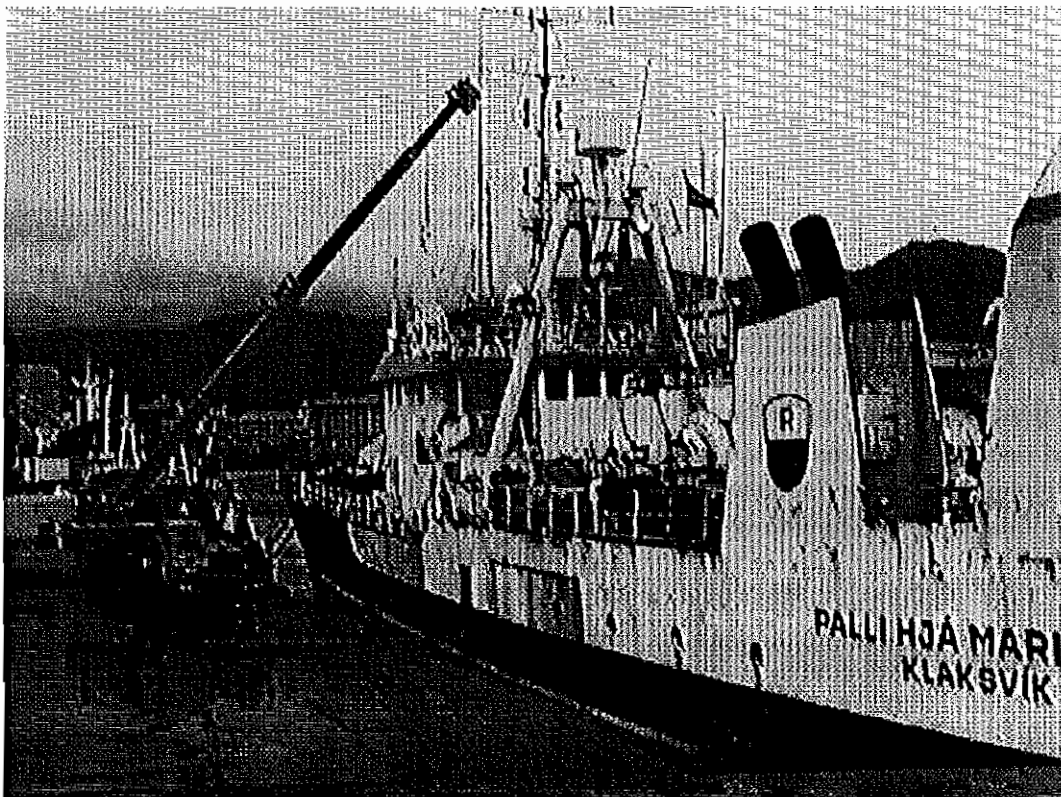


Figure 8: Pallihja Mariannu offloading toothfish in Port Louis

4.3 Overall Activity in the Patagonian toothfish trade in the Southern Indian Ocean Sector

On the basis of Jeff Williamson's observations in Mauritius and subsequent review of available information and consultation with industry contacts, we have estimated the overall size and value of the Patagonian toothfish trade based on fishing grounds around sub-Antarctic islands in the southern Indian Ocean sector at:

1996

Mauritius trade:

12 Boats producing IQF grade - 8,000 tpa @ \$4/kg = \$32M

25 Boats producing Block frozen - 20,000 tpa @ \$4/kg = \$80M

Elsewhere:

40 Boats producing Block frozen

- via South Africa: 24,000 tpa

- via Freighters 6,000 tpa

- 30,000 tpa @ \$4/kg = \$120M

Total size and value of the fishery 58,000 tpa \$232M

1997

Mauritius trade:

15 Boats producing IQF grade - 10,000 tpa @ \$3/kg = \$30M

25 Boats producing Block frozen - 20,000 tpa @ \$3/kg = \$60M

Elsewhere:

40 Boats producing Block frozen

- via South Africa: 6,000 tpa

- via Freighters 24,000 tpa

- 30,000 tpa @ \$3/kg = \$90M

Total size and value of the fishery 60,000 \$180M

Note that the estimated value of the fishery has fallen by some US\$50M between 1996 and 1997 entirely as a result of falling prices for block frozen toothfish.

Note also that there has been a dramatic reduction in the volume of reported toothfish landings in South Africa between 1996 and 1997 [JW]. The working assumption is that the 'Spanish Armada' has strategically shifted its operations away from using southern African ports as staging posts in favour of greater reliance on the more discrete transshipment directly to its freighters at sea.

Note that these calculations do not cover activities in the southern Atlantic Ocean sector.

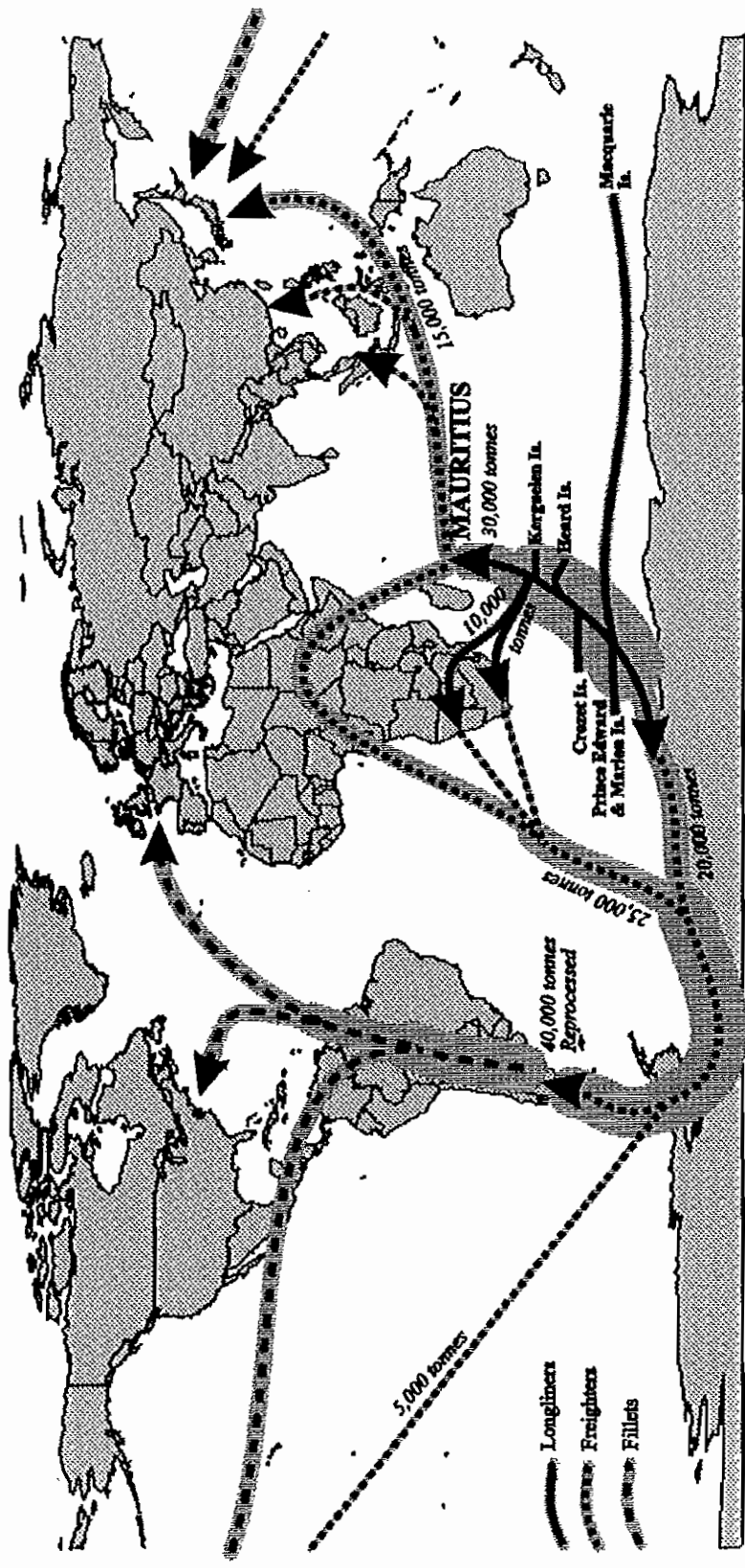


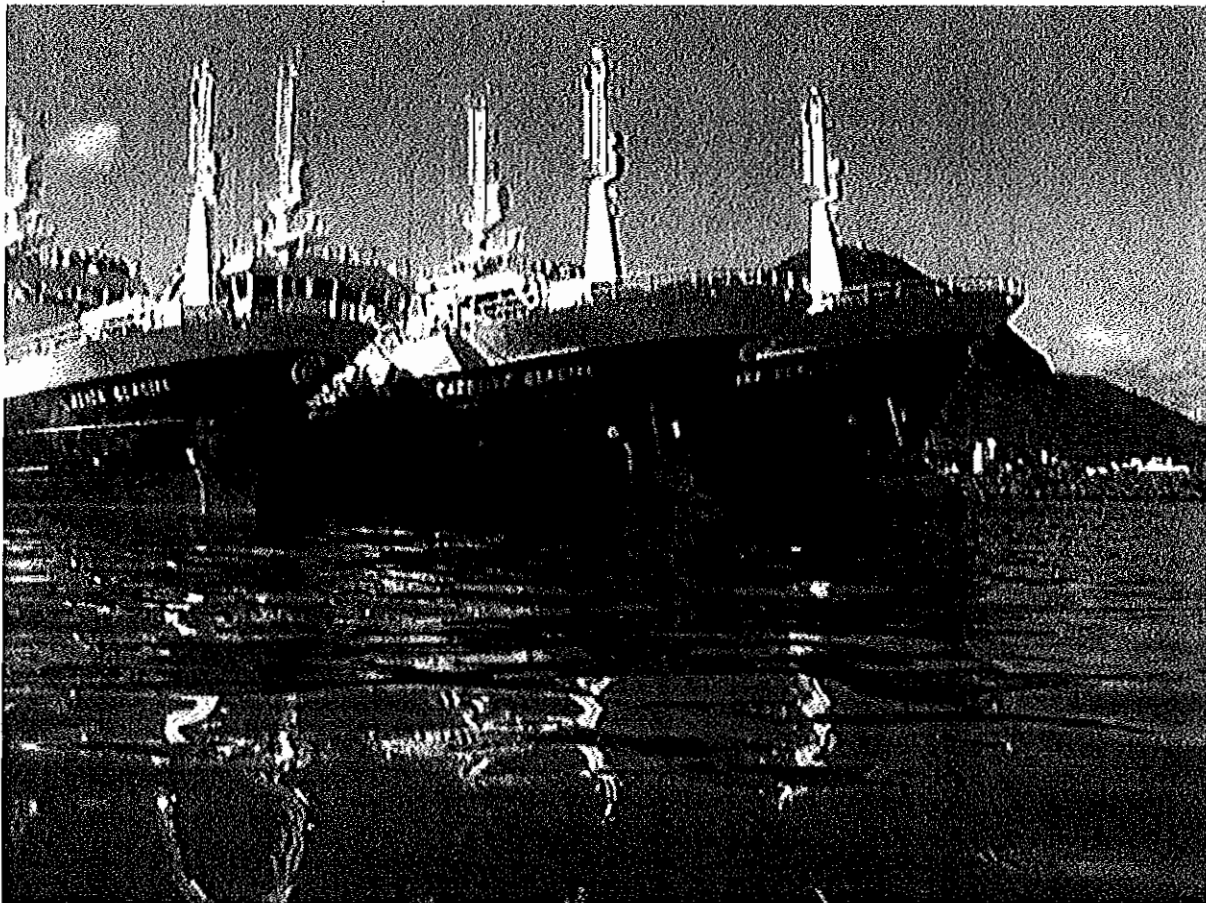
Figure 9:
Principal flows in the trade in
illegal Patagonian Toothfish

4.4 The Vikings

The Vikings' activities are characterised by relatively new, expensive, high technology boats mostly owned and operated by Norwegians and Faeroe Islanders, using the Norwegian-invented Mustad longline system and equipped with modern blast freezers, targeting larger Patagonian toothfish on outer continental shelves down to 2,500 metres depth. These operations are designed to produce sashimi grade fish for the Japanese market at prices from \$6/kg to \$10/kg dressed (hgt) fob ex Mauritius [JW] as well as restaurant grade fillets [SM].

Large, fresh-caught Patagonian toothfish are headed, gutted and tailed (hgt) then separately hung by a loop through the base of the tail and rapidly frozen to extremely low temperatures (IQF: individually quick frozen) in blast freezers. To make sashimi grades, toothfish need to be older, with higher oil content and bigger (at least 5 kg hgt) which means the fresh-caught fish needs to be about 7.5 kg). These must then be frozen to at least -35°C . To make top grade sashimi, at prices as high as \$10/kg, the fish need to be frozen to at least -60°C . These ultra-low temperatures are needed to completely halt fat metabolism in cells and so avoid any hint of rancid flavour. Modern blast freezers are needed to reach these temperatures and thus access the most lucrative Japanese sashimi markets [JW].

Figure 10: Three of the four Glacial longliners (Alida, Catherine and Caroline) moored together, Port Louis Harbour, February 1998



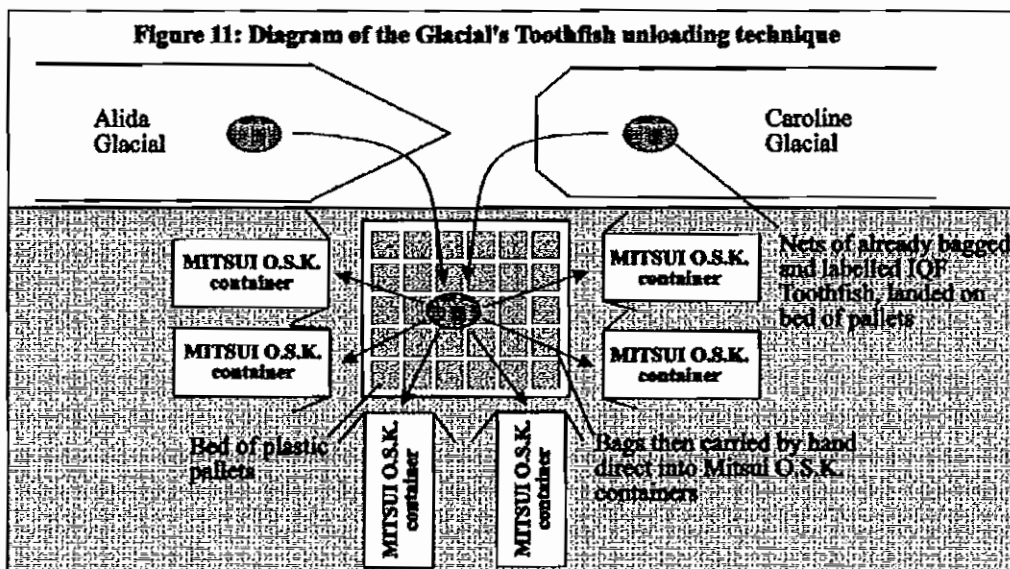
The Viking operators appear to be all of a top standard in all aspects of their fish handling operations, including good quality packaging to go with their good quality product, known in the trade as "white gold" [JW]. There appear to be about 15 Viking boats, perhaps all of which operate through Mauritius. Mauritius therefore has an effective monopoly on the export of IQF sashimi grade Patagonian toothfish mainly to the Japanese market. We estimate that this high grade IQF segment of the trade accounts for some 8-10,000 tonnes a year [JW]. There are four basic groupings of Viking boats: the four Glacial sister ships; the five Cindy ships, three boats associated with the Kuttels and Aluship, and three other individual boats.

The Glacials

The Glacials visit South African ports as well as Mauritius but, in Mauritius, all the Glacial boats use Happy World Marine as their agent. All their product is shipped directly to Tokyo, Yokohama or Singapore in refrigerated containers by Mitsui OSK Lines [JW].

The Glacials are also understood to be able to fish for crayfish and have done so in depths of 200-500 metres around Kerguelen [JW]. There is also some doubt as to whether longliners observed operating at depths less than 500-600 metres are actually targeting bottomfish like Patagonian toothfish or are actually fishing for icefish [SM] or crayfish [JW]. This has some implications for estimating the size of the illegal toothfish trade based on observed fishing effort [JW].

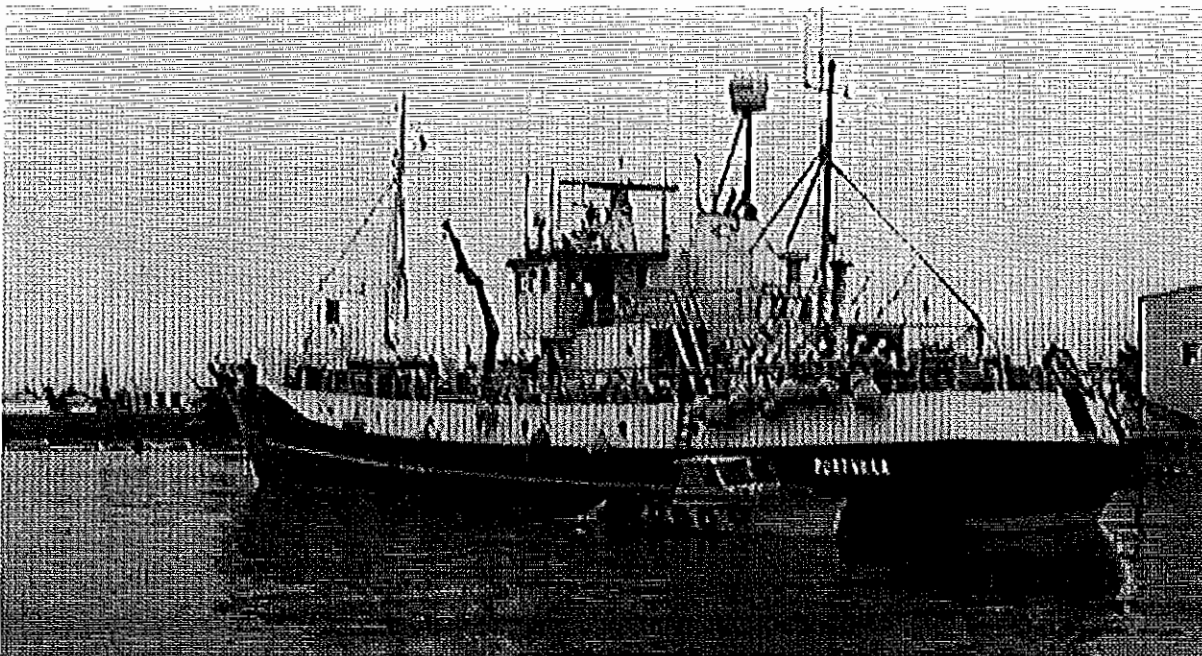
The Glacials were built by West Contractors at Olensvag in Norway and owned and operated by the Birting Co/Glacial SA, based in Buenos Aires, of which Norwegian, Sigurd Rekkedal was the director. The Aliza Glacial has recently been sold to the Panama registered and Cayman Islands owned Ravenor Overseas Co. (although its agent has the same address as the Glacial Holdings Co. in Norway). The Buenos Aires base of operations reflects their original operations fishing for toothfish in South Atlantic EEZs outside the CCAMLR area before moving to the Indian Ocean sector of the Southern Ocean when the UK began enforcing regulations in its Falkland Islands EEZ [BC]. Rekkedal has subsequently left the company and it is understood that Bergen burghers, Magne Hisdal and Einar Nystad, own and control the network of companies [GA].



The Cindy Ships

These five longliners are all owned by the Cindy Fishing Company. This company was originally started by the Norwegians, Terje Kirkeland, Austevoll Havfiske, Helge Mogster, Petter Aune and Oddvar Vea and the boats operated under the Danish flag out of the Faeroe Islands. They are still operated by Vikings but have been reflagged to Vanuatu and Oddvar Vea is the only remaining Norwegian shareholder and remains the operations manager [GA].

Figure 12: The Cindy unloading in Port Louis Harbour, February 1998



Kuttel/Aluship

Aluship is South African-based and owns the Praia do Restello but is also a major fish trader, including product from other toothfish longliners, including: Cape Flower; Explorer; Arctic Fox; and Monte Confurco. These operations are discussed further in Chapter 5, below.

Others

The following three boats, the Sea Fox, the Monte Confurco, and the Kestrel have also been included within the 'Viking' group as they tend to be operated by Vikings and/or have blast freezer technology and thus have the capacity to produce IQF quality product.

There is presently a remarkable confluence of IQF capable longliners in Mauritius such that, as far as we can tell, Mauritius actually has a near monopoly on the potential trade in IQF Patagonian toothfish as few other longliners have blast freezers. This is due to the level of commitment to the industry, regardless of its legality, by Mauritius authorities and the present Government. Not only are traders in illegal toothfish welcome in Mauritius but also Mauritius has made a substantial investment in infrastructure to service the fishing industry, which facilitates this trade.

Mauritian fishing interests, quite reasonably, expect such government support to be translated into opportunities for their involvement in the Patagonian toothfish fishery. This creates a danger and an opportunity for Mauritius and for management of the toothfish fishery. If some of the Viking operators, with their expertise and technology, can be persuaded to collaborate with local Mauritian interests and to operate legally, Mauritius can look forward to a future as the IQF capital of the legal toothfish trade. This is discussed further in Chapter 6, below.

4.5 The Spanish Armada

The Spanish Armada is characterised by somewhat older boats fitted with plate freezers [JW], using the Spanish longline method, operated by Spanish, Argentinian and Chilean officers and crew, although some boats are fitted with blast freezers [AF].

Operating standards are high but they tend to be restricted to waters down to 1,500 metres by use of the Spanish longline system. The toothfish tend to be smaller and, with plate freezers, most of them are excluded from the top-priced Japanese sashimi markets but can still make the still very lucrative restaurant trade. At around US\$3/kg for fish of 1-3 kg (hgt), this is still a very valuable fishery. The fish are headed, gutted and tailed, packed in metal trays and then stacked between the 'plates' of the plate freezer and then turned out as a solid 10 kg 'block' into boxes of two or three blocks per box.

With less capital at risk, boats from the Spanish Armada can be expected to accept much higher risk of arrest while fishing illegally in EEZs. Being confined to shallower waters, closer to land, they are inevitably exposed to greater risk of detection and thence apprehension. Using the Spanish longline method, closer to land, they also pose a more serious threat to the survival of albatross colonies on nearby sub-Antarctic islands.

There are no reliable estimates of the number of boats in the 'Spanish Armada'. ISOFISH has managed to catalogue almost 100 longliners involved in illegal and/or unregulated fishing over the last two years. Both French and Australian authorities have noted 'dozens' of illegal boats in their EEZs in recent months [AF]. 37 non-'Viking', unlicensed longliners were reported landing toothfish at South African ports in 1996 and 25 in 1997 [JW]. We therefore consider it appropriate to assert that 'dozens' of boats originating from southern South America are involved in the illegal toothfish trade.

There is also evidence that 'Spanish Armada' boats are using transshipment to freighters at sea more systematically than they have in the past. This has two advantages for them. Firstly, longliners fishing illegally in EEZs can tranship frequently to freighters standing off just outside EEZ boundaries thus minimising the tonnage of fish any longliner might have on board if it is caught. Secondly, toothfish can be transported discretely in bulk direct from the fishing grounds to processing plants in southern South America [JW].

By deduction, if the Vikings' IQF trade is estimated at up to 10,000 tonnes per year, then the Spanish Armada block frozen trade from the south Indian Ocean sector, via transshipment at sea, Mauritius, and ports in South Africa, is likely to be about 50,000 tonnes per year.

4.6 Schematic Diagram of Spatial Separation between Mustad and Spanish Longline Fishing Effort.

The concentric circles in the diagram below schematically depict the increasing depth of the continental shelf around a sub-Antarctic island. The outer circle represents a seafloor depth of 2,500 metres - the maximum depth to which Mustad system longlines can be set with their new 12 mm monofilament lines. The middle circle represents 1,500 metres - the maximum depth for commercial use of the Spanish longline system. The inner circle represents 500 metres - the minimum depth at which commercial stocks of Patagonian toothfish are found.

Pressure on Mustad line users to go for the biggest IQF fish in the deepest waters with the highest oil content to make top sashimi grades should create a marked spatial differentiation between longliners with Mustad and Spanish systems. The Mustad longliners are likely to be found significantly further from land than the Spanish system longliners.

Insofar as islands at the centre have albatross colonies on them, this spatial separation of fishing effort means that Spanish system longliners are likely to have a greater impact on albatross from those colonies than those using the Mustad system in more distant, deeper water. The Spanish system longliners must fish closer inshore where simple geometry ensures that the chances of any one longliner being sighted by a foraging albatross from the colony at the centre of the concentric circles are greater. Albatrosses are even more likely to be snared by unlicensed longliners not using or complying with CCAMLR conservation measures.

This opportunity, coupled with the greater potential for adapting the Mustad system to underwater setting and using trawlers in shallower waters, is an important part of the justification for encourage the users of the Mustad systems to develop sashimi markets for IQF grade fish and to abandon illegal fishing in favour of applying for licences to fish within national and CCAMLR quotas.

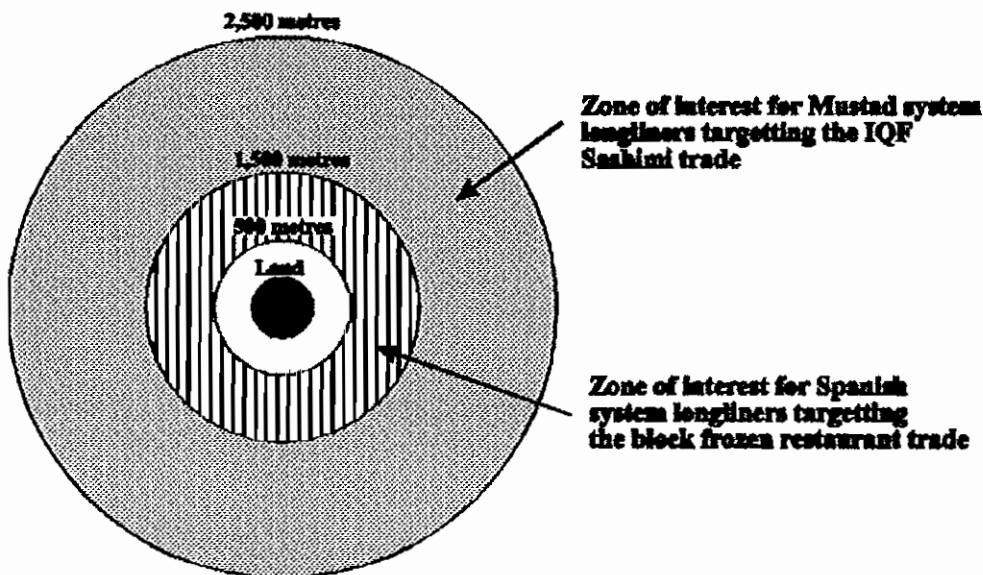


Figure 13: Schematic Diagram of Potential Spatial Separation between Longliners using the Mustad and Spanish Systems

5. Mauritian Involvement in the Illegal Toothfish Trade

We have managed to identify three Mauritius companies involved in the illegal Patagonian toothfish trade. These are Seabourne (including their association with the South Africa-based Kuttel family), I.B.L. (Ireland Blyth Ltd.), and Happy World Marine (associated with the Japanese trading house, Mitsui). Additionally, we have managed to identify a number of key individuals: the Kuttel family (South African); and Captain Betuel. The Noordali brothers are attempting to enter the fishery legitimately.

5.1 Seabourne

Seabourne is an unlisted company with substantial and intimate involvement in the illegal toothfish trade. The company is the agent for a number of longline fishing boats known to be involved in illegal and/or unregulated fishing in the CCAMLR area: the Mar del Sur I; the Mar del Sur II (recently arrested by Australian authorities within the Heard Island EEZ); the Praia de Rostello (also arrested by the Australians last year); and the Norse Pride (sunk and raised in suspicious circumstances in Port Louis harbour last year). What little we presently know about these boats is set out in Chapter 4 above.

Seabourne is also linked to the Kuttel family and their company, Aluship, through the latter's ownership and operation of the Praia de Rostello. The Kuttels are South African as is their company, Aluship, which is based in Cape Town (in Farocean House, Quay 4, V&A waterfront, Cape Town, SA) [JW]. They are large traders in toothfish and generally known to be involved in the illegal trade [SD].

Seabourne are also linked to three local business people, Captain Betuel, Benoit Lenoir and Henry Boullee through the strange fate of the Norse Pride. The Norse Pride had been refitted at a dry dock owned by Captain Betuel which had failed to reballast the boat before refloating in February of this year. That it subsequently turned turtle while moored alongside a wharf surprised no-one. The Norse Pride has subsequently been raised and sold to Benoit Lenoir and Henry Boullee (under contract to sell at time of publication) who have already sought quotes for refitting the boat for longline fishing again [JW].

Mr. Boullee is understood to be the local financier of this somewhat unorthodox entry into the fishing end of the toothfish trade by Mauritius interests. Mr. Lenoir, as the owner of two companies, Valmar Ltd. and Marlin Exports, is understood to be the intending operator of the new-look Norse Pride. Through Marlin Exports, Lenoir is already established as a trader in illegal toothfish and other fish species [JW].

5.2 I.B.L., Ireland Blyth Ltd.

IBL is a relatively recent company formed by the merger of two long-established trading houses in Mauritius (Ireland Fraser & Co. and Blyth Brothers & Co. It owns a wide range of businesses throughout the economy [AF]. IBL has a number of subsidiaries and there is no evidence that IBL management or directors have any direct involvement in the illegal toothfish trade although it is hard to believe that they are unaware of the activities of one of those subsidiaries: Southern Seas Shipping Company and the associated company, Adam & Co. Ltd, of which Captain F. de Gersigny is the Director of its shipping division and Mr J. Goilet is its Manager.

This company is the agent for a number of longline fishing boats known to be involved in illegal and/or unregulated fishing within the CCAMLR area: the Isla de Rua; the Nao; the Ons; the Falvora; the Viera; the Sadoce; the Arbumasa 25; and the Puerto Madryn which are understood to be controlled by Chilean interests [AF]. It was also responsible for coordinating the activities of the refrigerated freighter, the Orense, including organising at sea rendezvous with additional longliners involved in the illegal trade. The Orense was owned and operated by Argenova, the Buenos Aires-based subsidiary of the giant Spanish fisheries company, Pescanova but has been reported sunk with no loss of life in January this year.

Captain de Gersigny is also the Director of two other associated companies: the original Blyth Brothers & Co. Ltd. and the Mauritius office of the big French shipping company, Compagnie Generale Maritime (CGM). Both Adam & Co. and CGM occupy the same offices on Avenue du Duc d'Edimbourg B.P. 53, Port Louis and share the same phone, fax and telex numbers while the fax number for Blyth Bros. is only one number different.

5.3 Happy World Marine Ltd.

Happy World Marine is a local Mauritius company associated with the Japanese trading house, Mitsui, through the shipping company, Mitsui OSK Lines. It has offices at: 7th Floor, Joonos Building, I Quay St., Port Louis. Its significance is that it handles all the Patagonian toothfish landed from the Glacial boats [JW] although their agent was reported to be Scott Shipping Agents [AF]. Toothfish were observed being loaded from the Glacial boats directly into Mitsui OSK containers marked for direct shipment to Yokohama & Tokyo (Japan) and Singapore. We know very little about this company, as yet.

5.4 Kuttel/Aluship

The South African, Peter Kuttel, had already been identified as being involved in the illegal trade in Patagonian toothfish in South Africa [SD]. Aluship offices are in Cape Town [Farocean House, Quay 4, V&A Waterfront, Cape Town, South Africa; ph: +27-21-419.7251 /7252 /7253; fax: +27-21-419.7254]. It was no surprise, therefore, to learn that Adrian Kuttel and the company he co-owns, Aluship, were also involved in Mauritius. Aluship is the owner/operator of the Praia de Rostello and, in addition, the Kuttels buy fish from: the Cape Flower; the Arctic Fox (owned by a USA-owned company); the Monte Confurco; and the Explorer (previously named the Krill).

5.5 Captain Betuel and Froid des Mascareignes

Captain M.Y. Betuel, OBE, is the Managing Director of Froid des Mascareignes, the company which has recently built a large, new cold store on the wharf at Port Louis. Captain Betuel also owns 25% of the company. 30% is also owned by the Mauritius Marine Authority which controls and operates the Port Louis harbour and is run by Captain Toi, the Port Master, who has a close relationship with Captain Betuel [JW]. A further 20% is owned by the Mauritius Freeport Authority which controls and operates the big new free trade zone being established within the harbour with its large container park and new wharf area [JW]. The remaining 25% ownership is unlisted.

Froid des Mascareignes was observed servicing the Cindy boats and the Sea Fox [JW]. All containers being handled by Froid des Mascareignes appeared to belong to the giant Danish shipping company, MAERSK [JW].

Captain Betuel is the General Manager of Taylor Smith & Co. Ltd., the owner and operator of the dry dock where the Norse Pride was refitted prior to being refloated without being reballasted. He seems to be associated with much of the harbour infrastructure servicing fishing vessels [JW].

5.6 The Noordali brothers

The Noordali brothers, Youssouf and Raouf, are local businessmen [Noordalli Bros Ltd., 4 Corderie St, Port Louis, ph: +230-212.1324] and are already involved in the local fishing industry. Youssouf Noordali is the CEO of Noor Fishing Co. Ltd. which presently has two 50 metre, Taiwanese construction, boats involved in the fishery for reef fish which could readily be converted for deep sea longlining [JW]. They have recently created a new subsidiary, Noorpeche, which unsuccessfully applied for a licence from the French authorities in Reunion to fish for Patagonian toothfish in French EEZs [LOI]. The Noordali brothers have subsequently appealed this refusal to Paris [SM].

5.7 Rogers

We also have a report of the large, local company, Rogers, being associated with the company IBL which is heavily involved in the illegal toothfish trade [LOI] but we have no information on the nature or extent of such association.

6. Alternative Development Opportunities for Mauritius

If commercial Patagonian toothfish fisheries and albatross species are to survive, it is absolutely essential that all those fishing for toothfish do so under the auspices of CCAMLR. They must accept and work within the quota limits set by CCAMLR and they must comply with the conservation measures adopted by CCAMLR. Governments of CCAMLR member states, licensed fishing interests and conservation interests have little option but to remorselessly pursue illegal longliners and those involved in the trade in their illegal product if vital conservation outcomes to which they are committed are to be met.

Mauritius is thus inevitably going to be subject to growing external pressure to cease its involvement in the illegal Patagonian toothfish trade. In setting out to do this, it is important that the international community recognise that cessation of involvement in the illegal toothfish trade would have some adverse impact on the Mauritius economy. This impact would involve not only immediate loss of economic activity but also additional risk of failure for major development initiatives.

It is therefore appropriate that those interests committed to persuading Mauritius to cease its involvement in the illegal trade should be prepared to present Mauritius with a suite of proposals which, if adopted, would leave the Mauritius economy and community better off than at present. Set out below are number of suggestions we have to make with respect to some of the measures which external governments, companies and conservation groups alike could make to the Mauritius Government.

The intention is to work with Mauritius to develop a package of measures, including measures to cease involvement in the illegal toothfish trade, which if taken as a whole is acceptable to Mauritius. It is important that urgency should not displace propriety or politeness.

6.1 Improving the fishing sector's capacity to contribute to the Mauritius economy

The fishing industry has the capacity to develop into one of the great pillars of the Mauritius economy, along with agriculture, textiles and tourism. There is much which can and should be done to help Mauritius reach this goal:

Greater Investment in Value Adding within the Freeport zone

Large volumes of yellow-fin tuna and Patagonian toothfish are presently transhipped, mostly to Japan, for processing into highly prized and highly priced products. The opportunity to divert at least some of this flow of raw product into domestic processing represents a major development opportunity for Mauritius. There is already a limited skipjack tuna canning operation in Port Louis and a substantial reef-fish trade for local consumption.

Two enormous freezer complexes have just been built within the newly established freeport zone and a light industrial zone within it has already been established. All the infrastructure elements are thus already in place to support further investment in downstream processing to maximise value added to export products.

Obviously, illegal product cannot form the resource for such investment in downstream processing owing to the inevitable uncertainty as to future supply. This is the principal reason why it is in Mauritius' long term interests that it confine itself to trading in legal fish products. The opportunity to process some of the IQF toothfish presently being transhipped directly to Japan, albeit at lower volumes than at present, if confined to legal operations, is substantial.

Improving the Management of the EEZ

Mauritius has an enormous EEZ relative to its land area. The fish resources within the EEZ have been subject to poorly controlled or completely uncontrolled exploitation not only by Mauritius interests but also by interests from a number of other countries in the region. While exercising its new sovereign rights to manage and control the resources of the EEZ offers Mauritius a substantial development opportunity, considerable investment in management capacity is needed to allow that opportunity to be realised.

Initially, Mauritius needs help to develop a strategy to manage its EEZ and assurances that additional support will be forthcoming to facilitate implementation of that strategy. As many countries are finding, such a strategy would probably identify the need to establish an independent fisheries management authority at arms length from the government of the day. There will inevitably be a substantial research effort required to underpin management.

Most important, however, will be the need to establish of the capacity to enforce compliance with policies, rules, regulations and laws applicable throughout the EEZ. As an immediate measure, Mauritius needs help to repair the stern tube of its principal fisheries patrol boat. This should be regarded as a prelude to major investment in additional fisheries patrol capacity.

Legalising the IQF Patagonian toothfish trade

That Mauritius presently has a monopoly on the export of IQF grade Patagonian toothfish represents an exceptional development opportunity. Given the inevitable pressure which will come to bear on Mauritius to cease involvement in the illegal trade, however, Mauritius has little choice: it must persuade part of the IQF trade to become legal or expect to lose all of the trade to other ports as the Viking pirates flee official retribution.

The best prospects would seem to lie with attempting to persuade one or two of the groupings among the 'Vikings' to enter into joint ventures with local Mauritius interests. Such a negotiation would seem to have some prospects. On the one hand, the Vikings would be hard pressed to find a replacement 'pirate port' with facilities and services to match Mauritius. On the other hand, local interests would gain access to the lucrative trade without having to invest in new boats and crews to operate them.

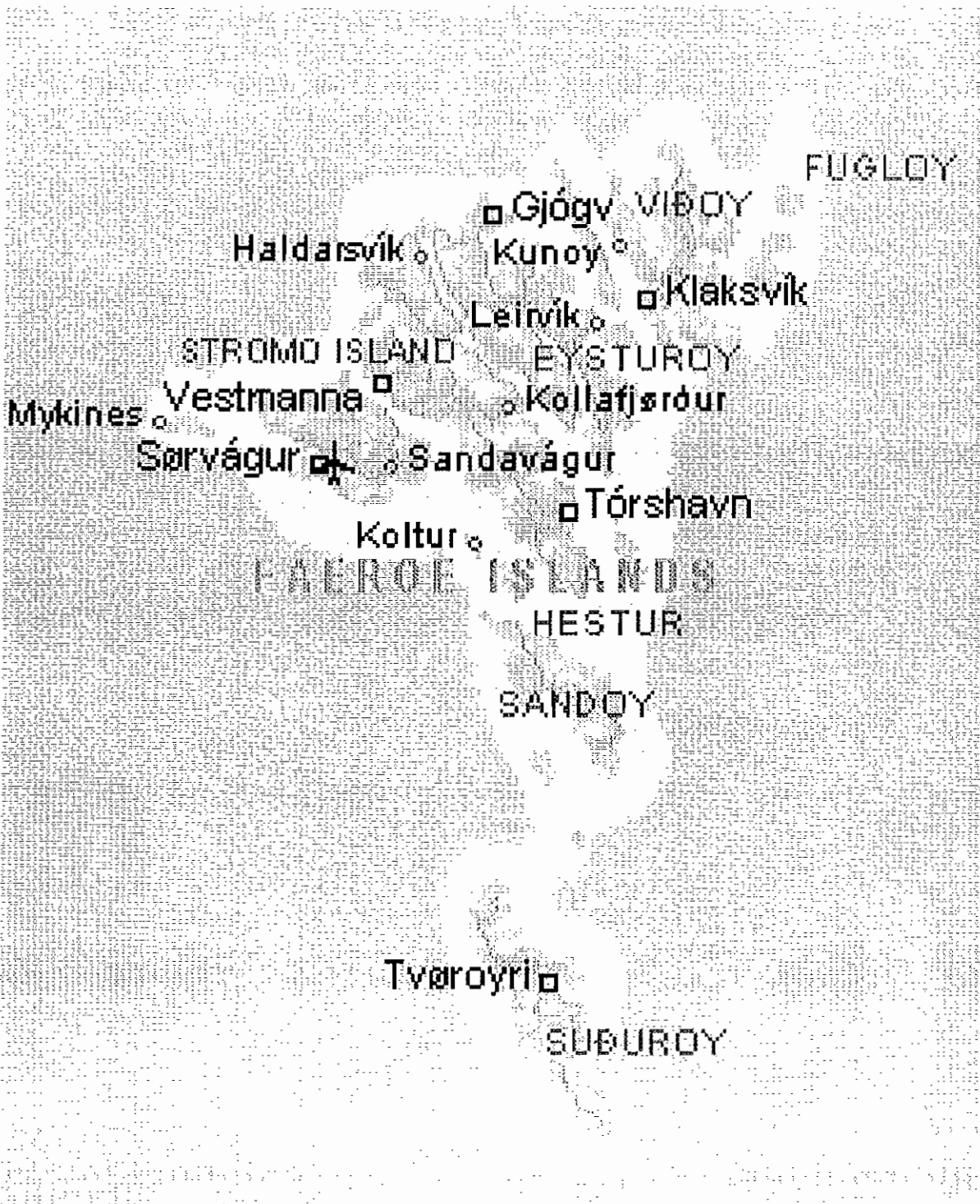
6.2 Mauritius - the 'Singapore' of the Indian Ocean

Mauritius has already taken a dramatic and bold decision to invest in establishing port infrastructure at Port Louis at a scale sufficient to allow it to develop as the transshipment focal point for the region much as Singapore does in south-east Asia. An enormous freeport zone has been established and a Freeport Management Authority to oversee and drive the establishment and management of the zone, including investing in infrastructure development, has been set up. This is a development vision which deserves support. It would appear, however, that the illegal toothfish trade is presently being used to help meet cash flow requirements to service investments in establishing the freeport zone. Insofar as this is the case, any measures to constrain the illegal toothfish trade should be tied to parallel measures designed to maintain investor confidence in the development of the freeport zone. It is obviously a very risky strategy for such a strategically important development as the freeport zone to be underpinned, in part, by earnings from trade in illegal products. Mauritius has a strong incentive to escape from this circumstance as soon as practicable and before other governments and investors focus on this problem.

6.3 Midlands Dam Project

Mauritius is blessed with a high but intermittent rainfall pattern. This irregularity is an impediment to realising agricultural development potential. A proposal to establish a large dam in the Midlands of a scale sufficient to supply regulated water flows to agriculture throughout the year has been under active consideration for some years. Indeed, an Environmental Impact Statement covering a formal proposal has already been prepared. It would appear that the area proposed for inundation is in a mountainous area which has already been substantially degraded such that the anticipated environmental impacts are not great. An important exception is the fate of the rare lily, *Crinum mauritianum*, which faces extinction by inundation unless the population is removed and re-established elsewhere. Assuming identified environmental problems are dealt with, OECD member countries should be invited to consider helping to implement this project.

Figure 15: The Faeroe Islands – Viking Country



7. Appendices

7.1 Involvement of Other Countries linked to the Illegal Patagonian Toothfish Trade in Mauritius

7.1.1 Norway

Norwegian interests have been the principal developers of commercial fisheries based on Patagonian toothfish. The nature and extent of their involvement has been described by Gunnar Alum in his report to Friends of the Earth (Norway) last year [GA]. We have little to add to Alum's report other than to confirm the widespread involvement of Norwegians among the officers and crew of the Viking boats using Port Louis [JW].

The Norwegian government subsidises Norwegian companies to build the boats. A Norwegian company is the inventor of the Mustad longline system which allows deeper waters to be fished [JW]. Mustad is also continuing to develop modifications of the technology to avoid snaring snacking albatrosses [MF]. Norwegian companies and individuals own and operate the Glacial and Cindy Fishing companies and the Explorer (previously, the Krill), among others, often using flags of convenience (Panama, Belize and Vanuatu). [GA]. The Norwegian government is reported to be prepared to instigate moves to restrain its support for illegal longlining for toothfish and to constrain the illegal activities of its citizens and companies [SL].

7.1.2 Denmark (Faeroe Islands)

As ever, Denmark has a problem in exerting control over its Vikings who inhabit the Faeroe Islands. The Islands enjoy a high degree of autonomy and independence from Copenhagen with Denmark having competency for defence and foreign relations. That their Vikings habitually enter EEZs illegally and operate within regulated CCAMLR waters without licences, brings the issue within the constitutional competency of Copenhagen.

The only two known illegal longliners still flagged by Denmark are the Pallihja Marianna and the Tugvusteinur. The other Cindy boats, now flagged by Vanuatu, used to be Danish flagged. Similarly, the Sea Fox, now flagged by Cyprus used to be the Danish flagged, Ran.

The Norse Pride, recently sunk and raised in Port Louis under suspicious circumstances, used to be the Danish flagged Polar Sea before being reflagged by Panama and renamed the Norse Pride. We understand that the insurance company has agreed to pay out on her [AF] and that a Mauritian company has bought her and has already let local contracts to refit her to resume longlining.

MAERSK

The big Danish shipping company, MAERSK, is heavily involved in the illegal toothfish trade through its involvement with Captain Betuel's company, Froid de Mascareignes, which owns and operates a new freezer in Port Louis harbour. MAERSK appears to be the sole shipping company used by Froid de Mascareignes which was observed storing IQF product offloaded from the Cindy. The implication is that MAERSK are a major player in the trade in illegal toothfish. MAERSK(US) containers were also used to load block frozen product landed by the Cape Flower.

Denmark is not a member of CCAMLR, other than vicariously, through its membership of the EU. The heavy involvement of its flagged vessels, companies and citizens in blatantly illegal acts within the CCAMLR area and within the jurisdiction of other countries should be sufficient to warrant Denmark being asked to join CCAMLR and to exercise proper control over its companies and citizens.

7.1.3 Japan

As far as we know, Japanese involvement in the illegal Patagonian toothfish trade is limited to Mitsui OSK's role as the shipper of IQF product caught by the Glacial boats, for which Happy World Marine is the agent, and as the principal market destination for IQF toothfish. It is also a market for an unknown volume of block frozen toothfish for domestic reprocessing [JW].

The evidence from Mauritius establishes beyond doubt that illegally caught IQF Patagonian toothfish are being imported into Japan by Mitsui OSK. It is most likely that additional consignments of IQF toothfish are being imported by MEARSK from Froid des Mascareignes' freezer. While Japanese authorities may be able to claim that they do not know where all import consignments of toothfish come from, they now know that some consignments at least are of toothfish caught illegally within EEZs in the CCAMLR area.

There is simply no trade into Port Louis of IQF toothfish caught by licenced longliners to explain any of the trade out of Mauritius. Indeed, given Mauritius' near monopoly of the IQF trade, Japanese authorities should be proceeding on the assumption that all imports of IQF grade Patagonian toothfish are from illegal or unregulated fishing activities within the CCAMLR areas unless importers can produce evidence of valid fishing licences to prove otherwise. Japan already has the regulatory measures in place to implement such a policy and should do so immediately.

7.1.4 Argentina

The principal Argentinian involvement is as the flag state for numerous longliners in the 'Spanish Armada'. The Mar del Sur II and the two Glacials, Alida and Aliza, are all Argentinian flagged. In addition, the Norwegian company which owns the four Glacial boats, Birting Co., is based in Buenos Aires. The Puerto Madryn used to be Argentinian flagged but was reflagged by Belize while at sea on a poaching trip to Australia's Heard Is. EEZ. Meanwhile, the Argenova owned and Argentinian flagged freighter, Orense, has been reported sunk with no loss of life in January this year.

Most importantly, however, Argentina and Chile are reputed to be the hosts for fish processing plants which process most of the estimated 50,000 tonnes of block frozen Patagonian toothfish caught in illegal and unregulated activities in the Indian Ocean sector of the Southern Ocean. These fish are filleted and the refrozen fillets are then exported to Asia, North America and the EU (despite EU regulations which forbid importation of refrozen fish products).

A number of Patagonian towns and cities have been identified as likely hosts of such fish processing plants. ISOFISH rates investigating these claims as a priority for future research. The Argentinian Government is urged to conduct such research for itself and to pressure its boats, companies and citizens to cease involvement in illegal and unregulated fishing for Patagonian toothfish before pressured by others to do so.

7.1.5 Chile

Like Argentina, the principal Chilean involvement is as the flag state for numerous longliners in the 'Spanish Armada'. The longliners, Cisne Verde and Elque, are Chilean flagged as is the refrigerated freighter, Verdugo, owned by the huge Chilean fishing company, Integracion S.A.. Verdugo is the name of 'Integra's' owner, the ex fisheries minister under the Pinochet regime.

Most importantly, however, Chile is reputed to be the principal host for fish processing plants which process most of the estimated 50,000 tonnes of block frozen Patagonian toothfish caught in illegal and unregulated activities in the southern Indian Ocean sector of the Southern Ocean. These fish are filleted in factories in towns like Punta Arenas where officials can be relied upon to turn a blind eye. The refrozen fillets are then exported to Asia, North America and the EU (despite EU regulations which forbid importation of refrozen fish products). ISOFISH rates investigating these claims as its top priority for future research, in particular, claims that 'Integra' may be the largest single trader in block frozen Patagonian toothfish derived from illegal and unregulated longlining. The Chilean Government is urged to conduct such research for itself and to pressure its boats, companies and citizens to cease involvement in illegal and unregulated fishing for Patagonian toothfish before pressured by others to do so.

7.1.6 South Africa

The Kuttel/Aluship connection.

The Cape Town-based Kuttels are major fish traders and well known to be involved in trade in illegal toothfish. Through their company, Aluship, they have been intimately involved in the illegal toothfish trade as operators of the longliner, Praia do Rostello and traders in fish from the Cape Flower, the Explorer, the Arctic Fox, and the Monte Confurco. There appears to be a stable and substantial link with the 'Vikings' from the Faeroe Islands but this needs further work to confirm [SD] [JW]. The Arctic Fox has also featured in promotional material for block frozen 'Chilean Sea Bass' from the Icebrand Seafood company of New York [ISO] indicating their involvement in the 'Chilean connection'.

Port Landings

Readily available port records indicate substantial volumes of illegal toothfish and some volumes of legal toothfish pass across the wharves of several South African ports - not only landings from longliners but also loadings onto freighters almost certainly bound for South America. Given that Cape Town, at least, is supposed to be a VMS only port nowadays as a vital anti-poaching measure, South African authorities have some explaining to do as to how longliners can still tranship illegal toothfish through her ports with apparent impunity [JW].

In addition, CCAMLR Conservation Measure 118/XVI requires that Contracting Parties, of which South Africa is one, do not allow importation of toothfish from a non-contracting party, such as Mauritius, unless it can be established that it has been caught in compliance with CCAMLR's conservation measures. South Africa has some explaining to do on this account as well!

Hout Bay Fishing Co. & Premier Fishing

These two companies have been reported by French media as involved in the illegal toothfish trade and we have confirmed a substantial involvement by the Hout Bay Fishing Company [LOI]. Three Hout Bay Fishing Co. boats have been identified as being involved in the illegal toothfish trade - the Cape Flower, Explorer and Arctic Fox. All three carry flags of convenience from Panama or Belize. The Arctic Fox has also featured in promotional material for block frozen 'Chilean Sea Bass' from the Icebrand Seafood company of New York [ISO] indicating their involvement in the 'Chilean connection'. The South African Government needs to ensure that its legislative framework is adequate and its enforcement arrangements effective to deter involvement by its companies and agencies in the illegal trade in Patagonian toothfish

7.1.7 USA

Favorite Holdings Inc.

The Miami based company, Favorite Holdings Inc., has been identified as the owner of the Belize flagged longliner, Arctic Fox, which has been leased to the South African company, Hout Bay Fishing Co. [JW] or Favorite Holdings have entered into a joint venture with Hout Bay Fishing to operate her [ISO]. It was sighted but not apprehended by the French Navy in their Kerguelen EEZ on 28 January 1998.

Icebrand Seafoods Inc.

New York based fish trader, Icebrand Seafoods (250 West 57 Street, New York 10107) has a brochure promoting sales of block-frozen *Dissostichus eleginoides* 'Chilean sea bass' with a photograph of the Arctic Fox and the slogan: "Icebrand is your direct source for Chilean Sea Bass caught in the pristine waters of the Antarctic region" indicating that it is at least one of the US ends to the 'Chilean connection'.

The US arm of Danish shipping company, MAERSK, is thought to be involved in that US registered MAERSK containers were used to load block frozen product landed by the Cape Flower in Port Louis. It is assumed that this product is destined for processing and subsequent sale to the restaurant trade in the USA.

Figure 16: Icebrand Seafoods Inc. Brochure promoting sales of Chilean Sea Bass using an illustration of the Arctic Fox

Chilean Sea Bass
(Dissimulatus Labridae)

For more information, call:
ICE BRAND SEAFOODS, INC.
 250 West 37th Street, New York, NY 10018
 Toll-free: 1(800)879-8863 • (212) 956-2530 • Fax: (212) 956-2421

Product Specifications

Chilean Sea Bass - Premium Topfillet - Wild

HEADED & GUTTED (H&G)	
Sizes:	6-8oz, 8-10oz, 10-12oz, 12-14oz
Pack:	Headed, Approx. 20 lb.

FILLETS (SKIN ON)	
Sizes:	4-6oz, 6-8oz, 8-10oz, 10-12oz
Pack:	20 lb. Case

RE-FRESH FILLETS

FORKIONS (Skinless/Boneless)	
Sizes:	3-4oz, 4-6oz, 6-8oz, 8-10oz, 10-12oz
Pack:	10 lb. Case

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7.1.8 France

Sapmer

The PDG/CEO of Sapmer, Mr. Jacques Dezeustre, was in Mauritius in late February for discussions with the Norwegian owners aboard one of the Glacial boats about purchasing it [JW]. The Alida Galcial is thought to have a price tag of about US\$6M on it at the moment [AF]. Sapmer have also been making inquiries about purchasing the fourth member of the Glacial fleet of boats, presently under arrest in Fremantle, Australia, pending the outcome of court action following its arrest in the Australian EEZ around Heard Island last year [AF].

Meanwhile, Sapmer have been lobbying French authorities not to give licences to other boats, including Mauritius registered ones, to fish for toothfish in the CCAMLR area. This may explain why the Noordali brothers failed in their application for a licence to allow four longliners to fish for Patagonian toothfish within French EEZs. [LOI].

Associated Austral de Peche

This is a joint French/Mauritius company and has recently bought the Kestrel which has a history of longline fishing in the Southern Ocean and is now registered in Mauritius [LOI].

Compagnie General Maritime (CGM)

CGM is a large French shipping company with offices in Port Louis. It shares this office with and, in Captain F. de Gersigny, has the same local manager as Adam & Co. Ltd. Adam & Co. is heavily involved in the illegal toothfish trade as the agent for a number of longliners known to have fished illegally (the Isla de Rua, the Nao, and the Puerto Madryn) and the coordinator of the freighter Orense, owned by Argenova (reported sunk with no loss of life in January this year).

7.1.9 Spain

To date, the evidence of Spanish involvement in illegal and unregulated fishing for Patagonian toothfish is sparing and anecdotal. While many are quick to point the finger at strong involvement by Spanish interests, we do not yet have the evidence to do so. Giant global fishing company, Pescanova, is established in Argentina through their subsidiary, Argenova and in Chile through Pesca Chile. The extent of their involvement in the illegal and unregulated fishery has yet to be established. Spanish interests are also reputed to own the Praia do Rostello, the Portuguese flagged longliner arrested by the French while fishing illegally in their EEZ in January this year. Additionally, it is reported that Spain has been importing dried Patagonian toothfish from Walvis Bay, Namibia for sale into its traditional dried, white fleshed fish markets [JW].

7.1.10 Singapore

Singapore has been identified as the destination for some of the Mitsui OSK containers into which the Glacial boats loaded their IQF toothfish, arranged by local Mauritius agents, Happy World Marine. The containers were labelled "Singapore/south east Asia trade only" so, the assumption is that Singapore is being used principally as a transshipment point for the toothfish trade into south east Asia.

7.1.11 Portugal

Portugal is the flag state for the Praia do Rostello, the longliner arrested by the French while fishing illegally in their EEZ in January this year. We are unaware of any other involvement by Portuguese interests.

7.1.12 Namibia

Namibia has often been cited as a parallel destination to Mauritius for longliners having been engaged in illegal and unregulated fishing activities in the southern Indian Ocean sector of the Southern Ocean [AF] [JW]. For example, the Kuttel brothers' Praia do Rostello, landed toothfish there last year. Also, the Hout Bay Fishing Co./Favorite Holdings Inc. boat, Arctic Fox was fitted out for longlining in Walvis Bay, Namibia, in August 1997 and sighted by the French in their Kerguelen EEZ in January 1998.

Additionally, there has been a report of dried toothfish from Walvis Bay being exported to Spain [JW]. As for southern South America, Namibia is high on the list of places warranting further investigation by ISOFISH to improve the overall picture of the trade in illegal toothfish and fish products.

7.13 Panama

Panama has allowed itself to be used as a flag of convenience by operators of longliners bent on poaching Patagonian toothfish. The principal offender is the Glacial/Birting/Ravenor group of companies which operate the four Glacial boats - both the more modern pair, Caroline Glacial and Christina Glacial are Panama flagged. Two of the Hout Bay Fishing Co.'s boats, the Explorer and the Cape Flower, are both Panama flagged. The Merced is also Panama flagged - as is the Norse Pride, although since its dunking in Port Louis harbour, it is expected to be reflagged to Mauritius.

The Panamanian Government, like the Governments of all other flag states, must introduce and/or enforce regulations requiring all flagged fishing vessels to be licenced by Panamain authorities and requiring such vessels applying for such licences to already have licences from appropriate authorities managing regulated fisheries. Severe penalties should be set and imposed on operators of fishing vessels which fish in regulated waters without the appropriate licences.

7.14 Belize

Belize, like Panama, has also allowed itself to be used as a flag of convenience by operators of longliners bent on poaching Patagonian toothfish. The Favorite Holdings Inc./Hout Bay Fishing Co. owned/operated Arctic Fox is Belize flagged, as is the Puerto Madryn. The Belize Government must also introduce and/or enforce regulations requiring all flagged fishing vessels to be licenced by Belize authorities and requiring such vessels applying for such licences to already have licences from appropriate authorities managing regulated fisheries. Severe penalties should be set and imposed on operators of fishing vessels which fish in regulated waters without the appropriate licences.

7.15 Vanuatu

Vanuatu has also allowed itself to be used as a flag of convenience by the Cindy Fishing Co., owned and operated by Norwegian and Danish interests. Three out of five Cindy boats have now shifted from Danish to Vanuatu registration. As for other 'flag of convenience' states, Vanuatu must introduce and/or enforce regulations requiring all flagged fishing vessels to be licenced by Vanuatu authorities and requiring such vessels applying for such licences to already have licences from appropriate authorities managing regulated fisheries. Severe penalties should be set and imposed on operators of fishing vessels which fish in regulated waters without the appropriate licences.

7.16 Seychelles

The Seychelles have also allowed themselves to be used as a flag of convenience by the owners of the Big Star. It had previously been flagged by Honduras. The Big Star was recently arrested by Australian authorities in their Heard Island EEZ. As for other 'flag of convenience' states, Seychelles must introduce and/or enforce regulations requiring all flagged fishing vessels to be licenced by Seychelles authorities and requiring such vessels applying for such licences to already have licences from appropriate authorities managing regulated fisheries. Severe penalties should be set and imposed on operators of fishing vessels which fish in regulated waters without the appropriate licences.

7.17 China

China is reported to be involved in reprocessing block frozen product for re-export to Japan [AF].

7.2 Sources cited

Unless otherwise specified, all sources are memos from, or records of conversation with, individuals or people from the organisations identified below (in alphabetical order):

- [AF] Austral Fisheries, fishing company based in Fremantle, Western Australia;
- [BC] Beth Clark, The Antarctica Project, Washington (ASOC Coordinator);
- [GA] Gunnar Album, 'The Patagonian toothfish and Norwegian interest', Norwegian Society for the Conservation of Nature/Friends of the Earth (Norway), October 1997.
[Internet address: <http://www.ngo.grida.no/ngo/naturven/rapport/e397.htm>]
- [ISO] Confidential information received by ISOFISH;
- [JW] Jeff Williamson, observations from Mauritius (none of our sources in Mauritius are identified);
- [LOI] *La Lettre de L'Ocean Indien*, Paris-based weekly newsletter;
- [MF] Mustad Fishing Co., Norwegian based inventors of the Mustad longline system;
- [RFO] RFO, French television company;
- [SD] Suidor, fishing company based in Cape Town, South Africa;
- [SL] Sealords, fishing company based in Nelson, New Zealand;
- [SM] Sapmer, major French fishing company.

7.3 Checklist of things to do to Help

To be effective as an information clearing house, ISOFISH relies upon the contributions of those who know something about what's going on in the illegal and unregulated fishing for Patagonian toothfish and in the trade in the fish caught. We need help from such people not only by way of contributing information but also by way of contributing ideas and suggestions as to what area should be priorities for gathering information. We have set out below, the areas where we think further work is most warranted. If you have information relevant to any of these areas, send it to us (or discuss terms for making your information available to us). If you have ideas on what to concentrate on, let us know.

Ultimately, however, albatrosses will be saved and fisheries sustained because governments take appropriate action. We hope that recipients of this report will use it to guide and stimulate approaches to governments, through whatever channels and opportunities are available to them, to persuade governments to take timely action to cease involvement in and support for those involved in, controlling, and benefitting from, illegal and unregulated fishing for Patagonian toothfish in the Southern Ocean.

The four main ways in which you can help are set out below;

1. Identify those governments which you would like to approach (for reasons of familiarity or outrage) and, depending on the extent of their involvement, ask them to:

- * stop flagging longliners operating without licences within the CCAMLR area;
- * stop issuing licences to longliners to operate within the CCAMLR area without prior production of appropriate licences from relevant governments;
- * close their ports to such longliners;
- * join CCAMLR and be party to decision making and thus bound by decisions, including those relating to conservation of albatrosses and fish stocks;
- * close their ports to the import of fish and fish products derived from unlicensed longlining activities within the CCAMLR area;
- * forbid fish processing plants, importers, and traders from handling Patagonian toothfish fish and/or fish products derived from such unlicensed activities;
- * forbid retailers, especially restaurateurs, from selling fish products derived in part or in whole from Patagonian toothfish unless certified as coming from licenced operators.
- * introduce new laws and regulations, as necessary, to allow them to do all of the above; and
- * conduct their own investigations and research to establish the full nature and extent of their involvement in and responsibility for all aspects of involvement in fishing for and trade in Patagonian toothfish, including that of their companies and citizens.

2. Help ISOFISH with further work to track flows in Patagonian toothfish from longliners to ports and thence to fish processing plants. While our trip to Mauritius may have covered landings of high grade IQF toothfish, we know nothing of who processes it where. More importantly, we need to track block frozen toothfish:

- * use of freighters to offload fish directly from longliners (without using transshipment ports) for transport directly to fish processing plants;
- * use of ports in southern Africa for transshipment elsewhere;
- * identification of fish processing plants preparing fillets for the restaurant trade from block frozen product, especially in southern South America.

3. Help ISOFISH to identify companies (and their key backers, owners, managers, boat captains and fishing masters) involved in all aspects of the Patagonian toothfish trade, especially in Scandinavia and Latin America, and devise strategies to persuade them to exit any involvement in the fishing for, and trade in, Patagonian toothfish and products derived therefrom:

- * owners/operators of longliners sighted or suspected of being in regulated CCAMLR waters without licences to fish;
- * port authorities which allow their facilities to be used by longliners and associated freighters carrying illegally caught toothfish (including inadequately flagged and unidentifiable boats);
- * owners/operators of fish processing companies purchasing or acquiring toothfish from illegal or unregulated fishing activities within CCAMLR waters;
- * owners/operators of shipping companies which knowingly or unknowingly allow their ships and containers to be used for the international transport of illegally caught toothfish and of products derived from such fish;
- * fish traders and importers who knowingly or unknowingly trade in fish products derived from illegally caught toothfish; and
- * restaurateurs and others who buy Patagonian toothfish products derived from illegal fishing operations for retail sale to the public.

4. Inevitably, building a work programme based on some of the above ideas costs money. At the moment, ISOFISH operates on donations from companies licenced to fish for toothfish within the CCAMLR area and a promise of seed funding from the Australian federal government. This report cost about AU\$10,000 (US\$6,700) to research, compile and distribute. **If you would like to contribute to the ongoing work of ISOFISH, including the production of future reports, please donate now.** Cheques can be made payable to: the Tasmanian Conservation Trust, 102 Bathurst Street, Hobart, Tasmanian 7000, Australia. Or give us a ring or send us a note to discuss how best you might be able to help.