



ISOFISH Report No.4

Toothfish Poachers Changing Vessel Names in an Attempt to Avoid Identification by the CCAMLR Catch Documentation Scheme.

May 2000

Summary & Recommendations

There is mounting evidence that toothfish poachers engaged in IUU fishing have been changing the names of those of their vessels generally known to have been involved in IUU fishing, with the intention of subverting the CCAMLR Catch Documentation scheme by making it difficult to identify toothfish as having come from IUU sources. Responsible government authorities, commercial traders and processors need to take appropriate steps to satisfy themselves not only that they know where the toothfish were caught but also by whom. This will involve taking the trouble to know the history of the fishing vessels landing toothfish and of the individuals and companies ultimately responsible for their operations.

.1. Appropriate insistence on the Lloyds Register number being entered on the Catch Documentation Form should be regarded as one such necessary step by all parties involved in the administration of the Catch Documentation Scheme to frustrate poachers' attempts to hide their histories.

When vessel names and owners are changed in the Lloyds Register, it is often difficult to know whether a vessel really has been sold to another operator or whether a poacher is just shuffling 'front' companies to hide his identity. In Chapter 3, below, our monitoring of changes is divided into those which we are satisfied do relate to poachers attempting to hide and those which do relate to real sales and transfers from one owner to another.

2. Poachers would be discouraged from using front companies if the current edition of the Lloyds Register included the names of old owners and managers of vessels - just as they habitually include the old names of the vessels.

For the time being, ISOFISH has been taking the view that a fishing vessel taken out of the hands of a poacher is a good step in the right direction - whether it ends up at the bottom of the sea at the hands of the French Navy or whether it ends up fishing legitimately in the same waters in the hands of a French company.

3. Companies which knowingly sell fishing vessels to known poachers, however, deserve to be roundly condemned. One such company is identified in Chapter 3

below.

2. Introduction

2.1 The Lloyds Register is a Unique and Invaluable Resource

This brief report has been compiled principally from noting changes to the Lloyds Register of Shipping as notified by the owner/operators of the vessels in question. While some of the utility of the Register has been lost as poachers notify changes to the Register to remove key information like names of owners and managers, and even key information like port and country of registration, it nonetheless remains invaluable for tracking name changes.

Such tracking of name changes can be done because every vessel in the Lloyds Register is given a unique seven-figure number when launched and whatever changes might be notified, the new entry will still have the same number. This number is the same as the IMO identification number. No other comparable source of comprehensive, readily available information exists. Current editions of the Lloyds Register are widely and readily available and easy to use for tracking vessels if consulted at least annually. ISOFISH is presently compiling files of boat histories compiled from past editions of the Lloyds Register held at our local library. This is a substantial research effort and we trust that including this information on our website over the next few months will save others that time and effort.

The Lloyds Register only comprehensively lists all vessels over 30m (100ft) in length so many smaller fishing vessels involved in coastal fisheries will not be in the Register. For deep sea fisheries in the Southern Ocean, however, the size of vessel needed to operate safely and commercially in such waters exceeds this minimum such that it is safe to assume that all vessels involved in the toothfish fishery will be in the Lloyds Register and will have been allocated a unique seven-figure number.

It was in recognition of this unique usefulness of the Lloyds Register of Shipping that CCAMLR member governments agreed to require that the Lloyds Number be entered on the Catch Documentation Form specified by the Catch Documentation Scheme Measure which they adopted at their last meeting in Hobart in November last year. Unfortunately, the measure itself specifies that the Lloyds Number be entered on the Form "if appropriate" without clarifying what constitutes 'appropriateness'.

There is mounting evidence that toothfish poachers engaged in IUU fishing have been changing the names of their vessels known to have been involved in IUU fishing with the intention of subverting the CCAMLR Catch Documentation scheme by making it difficult to identify toothfish as having come from IUU sources. Responsible government authorities, commercial traders and processors need to take appropriate steps to satisfy themselves not only that they know where the toothfish were caught but also by whom. This will involve taking the trouble to know the history of the fishing vessels landing toothfish and of the individuals and companies ultimately responsible for their operations.

Appropriate insistence on the Lloyds Register number being entered on the Catch Documentation form should be regarded as one such necessary step by all parties involved in the administration of the Catch Documentation Scheme.

2.2 Tracking Vessel Owners as well as the Vessels themselves

As well as the more recent habit of changing the names of their vessels involved in IUU fishing, toothfish poachers have long been using 'front' or 'dummy' companies. While this serves a legitimate purpose of allowing them to more readily get licences and quotas to fish in foreign waters, it also serves to hide their identities and insulate themselves from responsibility and liability for the activities of their vessels.

Just as the toothfish poachers' vessels are now almost all registered in Flag of Convenience countries, so are their companies. The relevant authorities of responsible port and market states should take whatever steps are necessary to satisfy themselves not only that the vessels landing toothfish have not been engaged in IUU fishing but also that the individuals ultimately responsible for directing their operations are not involved in directing IUU fishing operations.

While the CDS. itself, does not oblige CCAMLR member countries to refuse entry to toothfish from IUU or suspected IUU sources, there is nothing to stop responsible countries using information, including that entered on CDS forms, to discriminate against toothfish and toothfish products from likely IUU sources pursuant to domestic laws and policies. Knowing one's IUU fishing vessels and one's irresponsible companies will be critical to making such judgements.

When vessel names and owners are changed in the Lloyds Register, it is often difficult to know whether a vessel really has been sold to another operator or whether a poacher is just shuffling 'front' companies to hide his continuing responsibility. In Chapter 3, below, ISOFISH's monitoring of changes is divided into those which we are satisfied do relate to poachers attempting to hide and those which do relate to real sales and transfers from one owner to another. Poachers would be discouraged from doing this if the current edition of the Lloyds Register included the names of old owners and managers of vessels - just as they habitually include the old names of the vessels.

The question of what attitude should be taken to licenced operators who sell vessels to poachers or buy vessels from them remains a vexed policy question. The instances set out in Chapter 3 include examples of both kinds of transfer. The Norwegians have introduced a blacklist strategy which involves never allowing fishing vessels which have been involved in IUU fishing to be licenced to fish in Norwegian waters - irrespective of who presently owns the vessel. This approach, however, is ineffective against vessels with low capital value (rust buckets) and which have been permanently deployed to high seas fishing - which includes almost all involvement by Spanish interests in IUU fishing for toothfish, for instance.

For the time being, ISOFISH has been taking the view that a fishing vessel taken out of the hands of a poacher is a good step in the right direction - whether it ends up at the bottom of the sea at the hands of the French Navy or whether it ends up fishing legitimately in the same waters in the hands of a French company.

Companies which knowingly sell fishing vessels to known poachers, however, deserve to be roundly condemned. One such company is identified in Chapter 3 below.

3. Recent Name Changes Notified to the Lloyds Register of Shipping

This Chapter sets out, in brief summary, some examples of recent changes of name

for fishing vessels known to be, or recently, involved in IUU fishing which ISOFISH has gleaned from regular perusal of the Lloyds Register of Shipping and its monthly updates.

3.1. Poachers Changing Names

3.1.1. Oddvar Veia and the Cindy-Golden Tiger-Rita

Inveterate Norwegian poacher, Oddvar Veia, would seem to have been the first to respond to the campaign against toothfish poaching by changing the names of his vessels. More than two years ago, his three vessels, the Cindy, Celine and Cevita were renamed the Golden Tiger, Golden Eagle and Golden Sun. At the same time, ownership of the Cindy and Celine was nominally transferred to Clarke Fishing (with offices in Mauritius and South Africa) and when the Cevita was apprehended by the French, her owner was said to be a company called Hokota, based in Hong Kong.

When the Cevita was released on bond, she and the Celine were redeployed away from toothfish poaching while the Cindy/Golden Tiger was renamed again to the Rita. A Mike Clarke, of Clarke Fishing, then had the temerity to apply to the French for a licence to fish for toothfish in the same waters they had just been poaching in. Unfortunately, he made no attempt to establish to the satisfaction of the French authorities in Reunion that, in changing her name to the Rita, the ownership and control of the Cindy/Golden Tiger had genuinely changed.

When it was pointed out to the French authorities that the Rita was, in fact, the Cindy of old, they concluded, quite reasonably, that the owners of the Rita were engaged in deception and refused to give them a licence and quota to fish for toothfish. As a result, the Rita continues to fish illegally and land her catches in Mauritius - just as the Cindy/Golden Tiger did before.

The Cindy-Golden Tiger-Rita remains readily identifiable when in port in that she still has her original name, the Nordal Dan, welded into her hull. This is probably in deference to the traditional conservatism of Nordic sailors - indeed, some of her crew still refer to her as the Nordal Dan. Some other operators, with less scruples and less adherence to tradition have ground off welded identification marks to hinder identification.

3.1.2. Manuel Mora and the Salvora-Polar and Ons-Vega

Spaniard, Manuel Mora undoubtedly remains the biggest poacher of toothfish. Indeed, there is mounting evidence that his IUU operations have grown considerably in the last year. He, too, has taken to the habit of changing the names of his more infamous poaching vessels. In a meeting with ISOFISH in his home port of Moana in Galicia, north-west Spain last year, Sr. Mora was bluntly direct in stating that, as he was breaking no laws in Spain, he would continue poaching toothfish for as long as it was profitable.

Sr. Mora obviously feels some need to disguise his infamy in that the Salvora, chased from French waters to Mauritius very publicly by Greenpeace last year, has recently had her name changed to Polar. Meanwhile, the Ons (previously known as the Liberty and, before that, the Iber I) has been renamed the Vega. The Puerto Madryn still sails under that name. All three boats are nominally owned by Belize registered front companies: Clayton Trading S.A., Maney S.A., and Sandico S.A. respectively.

We suspect that Sr Mora has come up with a variant of the renaming strategy by mimicing the names used by other companies. Two of the longliners noted landing toothfish in Mauritius are the Cisne Azul and the Cisne Rojo. We had assumed that these two vessels were owned by the Spanish company, Pesquera Cisne S.A., along with the Cisne Blanco and the Cisne Verde. In a meeting with representatives of Pesquera Cisne in Spain last year, however, they denied any involvement in, relationship with or responsibility for the Cisne Azul and Cisne Rojo, complaining that there were no rules against others naming their vessels with similar names. They have yet to explain the behaviour of the Cisne Verde in landing toothfish in Mauritius - but that's another story.

3.1.3. Big Star-Praslin -Coral

Both the Big Star-Praslin-Coral, and the company which nominally owns her, are both registered in the Seychelles. ISOFISH has been unsuccessful, to date, in finding out more about this company and who may lie behind it. Meanwhile, the Big Star continues its poaching activities under different guises.

After having been arrested by Australian authorities in 1997, the Big Star, released under bond, transferred its activities to the South Atlantic - tracked by VMS monitored by Australian authorities as a condition of its bond until the owners decided to break bond conditions and turn off the VMS and forfeit a \$1M bond. The next season she was back in the Indian Ocean sector poaching in French waters where she was arrested again and released on bond - again - but this time she was called the Praslin.

In a break from normal habits - of landing poached toothfish in Mauritius when poaching in the Indian Ocean sector - the Praslin tried to land the toothfish in Durban, South Africa, by declaring the catch to be another species of fish. Local authorities uncovered their plot, impounded the catch, but allowed the vessel to leave port (on the naively mistaken understanding that she was going to put in at Cape Town). The Big Star-Praslin now has domestic arrest warrants out for her from three countries - Australia, France and South Africa.

Shortly thereafter, she turned up in Namibia and was renamed the Coral. She has since been back in the Indian Ocean sector, landing poached toothfish in Port Louis, Mauritius, which remains a frustratingly safe haven for toothfish poachers.

3.1.4 Anyo Maru 22-San Rafael -Sil

Last year, a fishing vessel calling itself the Sil turned up in Montevideo Port, Uruguay and landed toothfish. Rumours were immediately circulating that Pescanova was directly involved in the toothfish poaching 'game'. This was because the Sil is widely known as a Pescanova fishing vessel. The vessel which turned up in Montevideo, however, was a completely different vessel.

Inspection of the hull of the second Sil revealed that the owners had made an attempt to paint over the previous name of the vessel but the old name, San Rafael, was still discernable. The vessel name had been changed from Anyo Maru 22 to San Rafael only in 1999. It is hard to escape the conclusion that the current operator of the Anyo Maru-San Rafael-Sil chose the name Sil with the intention of shifting attention and suspicion from themselves to Pescanova.

3.2 Licenced Operators Selling Boats to Poachers

3.2.1. San Aotea-Polar Viking

The dangerous and regrettable relationship between otherwise reputable New Zealand companies, Sealord and Sanford, and notorious Norwegian toothfish poacher, Jan Sjaasted, continues. The saga of Sjaasted's company, Norse Seafood, selling the Janas to Sealord was documented in ISOFISH Occasional Report No.2, the Norway Report. It now appears that Sanford has sold one of their vessels, the San Aotea, to Sjaasted. Sealord and Sanford have been operating a joint venture (SS Fishing) combining their licenced toothfish poaching operations in the Ross Sea with one vessel each - Sealord's Janas and Sanford's San Aotea II.

The San Aotea has recently been renamed the Polar Viking and Sjaasted's Norwegian company has been renamed Polar Seafood A.S.. In a significant embarrassment for New Zealand, we understand that Norwegian authorities refused to allow the San Aotea-Polar Viking to be reflagged to Norway and thus she remains New Zealand flagged until Sjaasted can arrange for a suitable flag of convenience.

This muddle is thought to be a result of Sjaasted's inexperience as an operator of high seas fishing vessels. His main commercial interests are in fish farms in Norway and his only previous foray into high seas fishing was as the owner of the Malin Viking-Norse Pride which was actively involved in poaching toothfish before sinking after a refit in Mauritius in 1998. His experience with the Norse Pride, however, has been enough to give Sjaasted a taste for the high profits to be made from toothfish poaching and he has not been able to walk away from the 'game' - despite publicly promising to ISOFISH in 1998 that he would have no further involvement in poaching activities.

Earlier this year, the San Aotea-Polar Viking was reported undergoing repairs to the winch for its line handling gear in the Argentinian port of Mar del Plata after running into problems while fishing about 45oS (north of the Falkland/Malvina Is.). She has since returned to IUU fishing for toothfish in the South Atlantic, with Norwegians Jon Myrvaagnes and Svein Raknes aboard as fishing master and mate, and using Montevideo Port, Uruguay, to land their catches.

3.3 Licenced Operators Buying Vessels from Poachers

3.3.1. Merced-Camouco-Saint Jean

The Lloyds Register has recently recorded that the well know toothfish poaching longliner, the Merced recently changed her name to Camouco while still poaching out of Mauritius. More recently, she has now been renamed the Saint Jean and is now owned by French company, SAPMER, and is now fishing for toothfish with a licence and quota issued by French authorities.

There is no doubt but that this change of name and company is a genuine transfer of ownership and control and there is no suspicion that SAPMER is or has been involved in toothfish poaching. Indeed, the fact that SAPMER have been so frank and open in notifying its ownership of the Saint Jean to the Lloyds Register is very simple, but compelling, evidence of its good intent.

3.3.2. Malin Viking - Norse Pride- Croix du Sud

Similarly, SAPMER has also recently acquired the Malin Viking/Norse Pride and renamed her Croix du Sud and similarly deployed her to fish for toothfish under licence. The Norse Pride had been salvaged after sinking in Port Louis and has been awaiting a buyer for some time. One can only admire the timing and strategy of SAPMER in approaching the poachers to buy their boats off them at a time when the campaign against toothfish poaching was gaining momentum, and when the waning fortunes of ex-Soviet Union countries' high seas fishing operations gave the French authorities an opportunity to reallocate toothfish quota, traditionally allocated to the Soviet Union, to French companies - d'accord!

SAPMER had attempted to buy one of the Glacial longliners from Magne Hisdal in 1998 but it is safe to assume that the price was not right - Hisdal's boats were worth millions of dollars and could readily be redeployed anywhere in the world (except his home waters where he is now blacklisted). Buying the Croix du Sud and the Saint Jean, meanwhile, probably only cost SAPMER a few hundred thousand dollars each.