

INVESTIGATION NO. 13

DUAL IDENTITY VESSEL ON THE RUN



Routine automatic identification system (AIS) monitoring of FISH-i countries' exclusive economic zones (EEZs) in 2014 identified a fishing vessel that appeared to be hiding its true identity in order to fish without a licence. Under detention in Seychelles in 2015, investigations indicated that the JIN SHYANG YIH 668 had engaged extensively in unauthorised fishing in the Indian Ocean and had probably also transhipped its catch illegally whilst at sea. Now on the run from flag State Thailand, the current location and identity of the vessel is unknown.

VESSEL TYPE

Longliners

FLAG STATE

Belize, Thailand

PENALTY/SANCTIONS

None to date, avoided by changing flag

KEY EVENTS

NOV 2014 The Belize-flagged longliner JIN SHYANG YIH-666 was detected on AIS operating without a licence within the EEZ of Madagascar. Comparison of vessel monitoring system (VMS) data with AIS tracks revealed that the vessel was transmitting VMS under the name BINTANG SAMUDRA-09, a vessel that was indeed licensed to operate in the Madagascar EEZ, raising suspicions that the JIN SHYANG YIH-666 was transmitting a false name over VMS in order to operate without a licence.

The JIN SHYANG YIH-666 had a history of illegal fishing having been listed for illegal, unreported and unregulated (IUU) fishing by the regional fisheries management organisation (RFMO) Inter-American Tropical Tuna Commission (IATTC) in 2005 and fined USD 30 000 by Mauritius in 2011 for fishing in their EEZ without a licence.

APR 2015 – JAN 2016 Ongoing monitoring of the JIN SHYANG YIH-666 AIS signal showed that the vessel continued to operate in the Western Indian Ocean without authorisation from the relevant RFMO, namely the Indian Ocean Tuna Commission (IOTC), and in January 2016 appeared to be operating with two Taiwanese-flagged vessels – the JIN SHYANG YIH and JIN SHYANG YIH 168, both of which were fishing with licences in the EEZ of Madagascar. JIN SHYANG YIH-666 did not make any port calls during this very long operational period, indicating that transshipment may have occurred.

JAN-FEB 2016 AIS monitoring showed JIN SHYANG YIH-666 and JIN SHYANG YIH en route to Port Louis, Mauritius, but instead a port entry request was made to Mauritius from a Thai-flagged vessel JIN SHYANG YIH

668. Analysis confirmed that this was the vessel transmitting over AIS as JIN SHYANG YIH-666. Denied access by Mauritian authorities due to suspicion of illegal fishing and/or identity fraud the vessel headed to Victoria, Seychelles, where it was inspected by the Seychelles Fishing Authority. The inspection revealed no fish on board and documentation on board stated that the vessel was now named JIN SHYANG YIH 668 and flagged to Thailand.

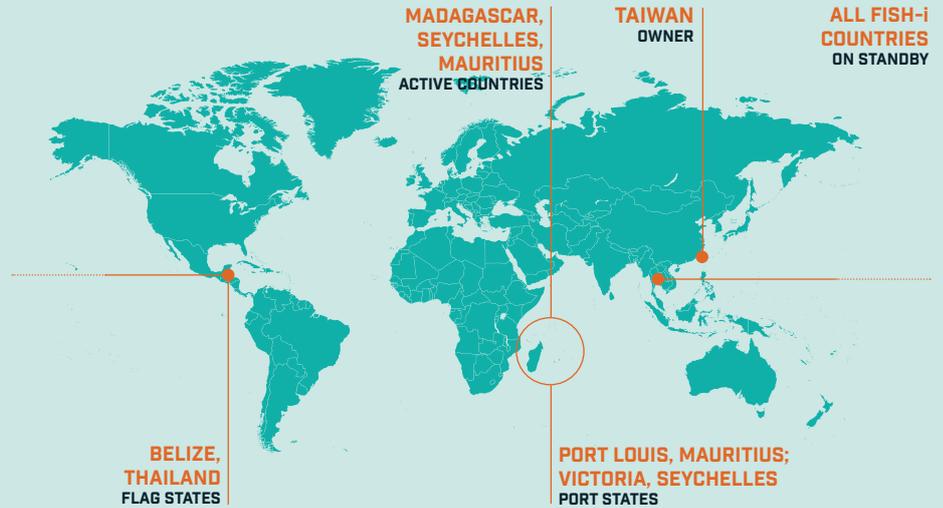
APR-NOV 2016 Thailand confirmed that the vessel was Thai-flagged but not authorised to operate in the Indian Ocean. The vessel remained in the Seychelles as the flag State Thailand stated its intention to investigate and press charges.

NOV 2016 The vessel departed Victoria. The flag state Thailand confirmed that

► the vessel was heading east possibly to Sri Lanka or Thailand.

A Thai Navy vessel was tasked with intercepting and arresting the vessel. The vessel owner appeared to receive information of this, and requested to return to Victoria, which was denied under the Port State Measures Agreement. The vessel evaded the Thai Navy patrol, and its current location is unknown.

DEC 2016 Evidence emerged that the vessel subsequently registered with Belize, investigations into the status of both the Belize and Thailand flags and the ownership information continue.



WHAT WORKED?

- Routine AIS monitoring indicated possible illegal fishing and the comparison of AIS information with VMS tracks highlighted the identity fraud issues.
- Port State measures were utilised to deny access to a vessel believed to have been operating illegally and which was transmitting AIS signals with the 'identity' of a different vessel to that of its name.
- Port inspection in Seychelles provided confirmation that the vessel had been operating without IOTC authorisation.
- Thailand acted responsibly as the flag State, providing information and deploying a navy vessel to intercept the JIN SHYANG YIH 668 when it fled authorities in the Seychelles.
- Madagascar VMS tracks of the vessel when compared with AIS suggested possible vessel identity fraud.
- Mauritius denied the vessel port access based on the suspicion that it had engaged in identity fraud and illegal fishing.
- Seychelles inspected the vessel and detained it; and later denied it port entry when the vessel was on the run from Thailand.
- Communicated and cooperated with the flag State Thailand.

WHAT DID FISH-i AFRICA DO?

- Monitored the vessel's activities over a two-year period, concluding that it had probably been fishing without authorisation in the Indian Ocean, and transshipping illegally.



In working together on over thirty investigations, FISH-i Africa has shed light on the scale and complexity of illegal activities in the fisheries sector and highlighted the challenges that coastal State enforcement officers face to act against the perpetrators.

FISH-i investigations demonstrate a range of complexity in illegalities – ranging from illegal fishing, to fisheries related illegality, to fisheries associated crime to lawlessness.

In this case evidence of illegal fishing and fisheries related illegalities were found.

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WHAT NEEDS TO CHANGE?

- Physical measures need to be in place to prevent vessels absconding when under investigation, or when detained in port.
- Photographs of fishing vessels need to be made accessible/publicly available.
- Mandatory unique vessel identification is needed, e.g. IMO numbers, to make it more difficult for vessels to hide their identity.
- Industry engagement could help provide information about those operating illegally and provide eyes in port and at sea, e.g. to help locate absconded vessels.

HOW?

The evidence uncovered during FISH-i investigations demonstrates different methods or approaches that illegal operators use to either commit or cover-up their illegality and to avoid prosecution.

VESSEL IDENTITY The JIN SHYANG YIH-666 was transmitting VMS under the name BINTANG SAMUDRA-09, possibly to appear that it was a licenced fishing vessel and /or to cover up the illegal fishing past of the JIN SHYANG YIH-666. Following the uncovering of the inconsistency between the VMS and AIS signals, the owners renamed the vessel to the JIN SHYANG YIH 668, seemingly to cover up the vessel's history of IUU fishing.

FLAGGING ISSUES The changes of flag State from Belize to Thailand and possibly back to Belize were made to avoid sanctions and to cover up an IUU fishing history.

AVOIDANCE OF PENALTIES Changing flags to Belize, changing sailing course to avoid interception by the Thai navy and not transmitting any satellite signals, all appear to be attempts to avoid sanctions.

DOCUMENT FORGERY (suspected) The documents presented to the Seychelles Fishing Authority for the JIN SHYANG YIH 668 are suspected to be forged or fraudulently used.