

INVESTIGATION NO. 1

FISH-i AFRICA'S FIRST SUCCESS: THE PREMIER



VESSEL TYPE

Purse seiner

FLAG STATE

South Korea

PENALTY/SANCTIONS

USD one million

The PREMIER was a high-profile case with significant results, including the payment of a sizeable fine to Liberia by the owner, and the spurring of action by the flag State South Korea to amend their laws. The PREMIER, having been caught fishing illegally in West Africa attempted to relocate to the Western Indian Ocean. The network of the newly formed FISH-i Africa Task Force was already on the alert, and the countries worked together as a region to stop the PREMIER continuing its fishing activities or permitting any illegally caught fish entering the market through their ports.

KEY EVENTS

NOV 2011 AND MAY 2012 As part of improvements in the Liberian fisheries monitoring system, the PREMIER was identified through its automatic identification system (AIS), fishing illegally in Liberian waters.

LATE 2012 Following enquiries by the Liberian government to the flag State of South Korea and media coverage of the vessel's suspected illegal activities, the PREMIER relocated to the Indian Ocean.

DEC 2012 The PREMIER arrived in Port Louis, Mauritius, where the illegal fishing activity in Liberia was confirmed through inspection of the fishing logbook. A copy of the licence to fish in Liberia found on board was provided to Liberia where it was identified as a forgery.

JAN-MAR 2013 Kenya and Mozambique denied the PREMIER fishing licences and shared letters with other FISH-i countries allegedly from Liberian authorities absolving the vessel of any illegal activities; these were again identified as forgeries by Liberia.

Comoros stated their intent to deny any application for a fishing licence.

MAR 2013 Seychelles denied the PREMIER permission to offload its catch in Port Victoria.

APR 2013 Tanzania refused to renew the PREMIER'S fishing licence.

APR 2013 The PREMIER returned to Mauritius to offload its catch. The legitimate industry – fearing any real or perceived

connection to the PREMIER-caught fish – encouraged the Mauritian authorities to deny the request. The request to offload was denied.

APR 2013 The PREMIER was now a notorious vessel, over 50 international press stories, numerous blogs, tweets and Facebook comments had covered the story and activists painted the word "illegal" on the hull of the vessel. Buyers on behalf of the European market in Bangkok, Thailand, were reported to be unwilling to buy Dongwon fish for fear of possible consumers' negative response.

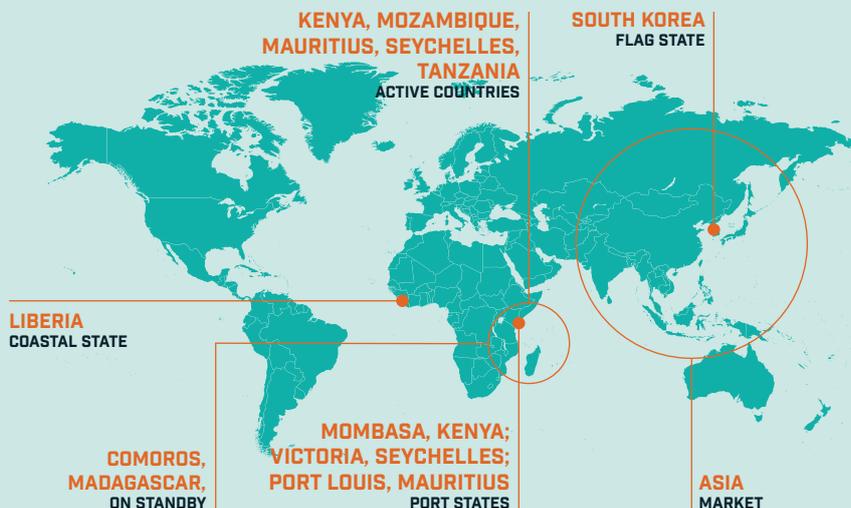
22 APR 2013 The owners of the vessel paid the Liberian government USD one million in settlement of the charges against the PREMIER.



► **MAY 2013** The PREMIER offloaded in May in Colombo, Sri Lanka, before sailing home to South Korea. The fish was sold at a reduced price on the Bangkok market.

DEC 2013 Having been renamed ADRIA, as well as refitted and upgraded to comply with fisheries, health and safety regulations, the vessel returned to Seychelles on Christmas Day 2013.

2017 The ADRIA continues to fish in the Indian Ocean but remains under the close scrutiny of the FISH-i countries.



WHAT WORKED?

- AIS monitoring showed the PREMIER operating illegally in Liberian waters and enabled FISH-i to track the PREMIER for 15 months.
- Port State measures and inspection capacity were used to deny port access and landing of fish.
- By cross-checking documents, forged licence documents were identified.
- Regional cooperation was essential, the Task Force countries united in denial of licences and port access, so the PREMIER was unable to operate in the Western Indian Ocean.
- Liberia's willingness to prosecute the case in its capacity of coastal State.
- Industry engagement supported national efforts to deny port access.

WHAT DID FISH-i AFRICA DO?

- Analysed vessel documents to identify forgery.
- Reviewed legal frameworks to provide grounds for denial of licences and access to port.
- Communicated with Liberian and South Korean authorities.
- Liaised with the legitimate industry to increase pressure on governments.
- Strategised to agree a united position to deny PREMIER fishing licences and port facilities.
- Publicised the case using the media and the Stop Illegal Fishing website.

WHAT NEEDS TO CHANGE?

- Flag State responsibility is needed to ensure that fishing vessels operate by the rules when fishing in foreign waters and to act when non-compliance is detected.
- RFMO listing of IUU fishing vessels is an effective tool in stopping illegal fishing. Improvements to the processes are needed to enable vessels to be nominated for listing by member States and to reduce flag State resistance.
- Vessel monitoring system (VMS) coverage needs to be extended, with greater regional sharing, allowing greater tracking and cross-checking of vessel activity.



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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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.

AVOIDANCE OF PENALTIES Dongwon, owners of the PREMIER, only paid the USD one million fine to Liberia after negative publicity internationally, denial of port services and access and reduced market prices due to consumer concerns, left them with no choice.

DOCUMENT FORGERY A forged Liberia fishing licence was used to cover up illegal fishing

in Liberian waters. Letters presented to authorities in Kenya and Mozambique, allegedly from Liberian authorities absolving the vessel of any illegal activities, were also identified as forgeries by Liberia.

BUSINESS PRACTICES (suspected) Dongwon used agents in Liberia and the Indian Ocean that have been implicated in various cases of illegal fishing and fraud. This provides suspicion that this choice of agent may have been intentional to utilise their networks. Dongwon claimed they obtained the forged fishing licence in Liberia via their agent from a government official, if this is correct then the use of corruption can be suspected.