

# INVESTIGATION NO. 8

## THREE VESSELS OR ONE?



This case highlights the complex use and abuse of vessel identities and how these were uncovered. FISH-i Africa compared tracks of fishing vessels and photographs taken during port visits around the Western Indian Ocean to expose the ambiguity in the vessels' identity. Later, media sources in Indonesia cast further uncertainty on the identity of these vessels. The importance of cross checking information and the value of taking and sharing photographs of fishing vessels is demonstrated, without which the misuse of identities would have been difficult to confirm.

### VESSEL TYPE

Longliners

### FLAG STATE

Indonesia, Taiwan

### PENALTY/SANCTIONS

None

## KEY EVENTS

**APR 2014** The vessels in this case came to the attention of FISH-i when automatic identification system (AIS) signals showed vessels broadcasting the names HUNG SHENG NO. 88 and CHI HSIANG NO. 7 departing Port Louis, Mauritius, bound for the Tanzanian exclusive economic zone (EEZ). In trying to find the true identity of the vessels, regional fisheries management organisations (RFMOs) authorised fishing vessel lists and other international records were searched without result.

**JUN 2014** The HUNG SHENG NO. 88 and an Indonesian flagged longliner named BINTANG SAMUDRA-68 requested permission to tranship in Mombasa. AIS signals showed HUNG SHENG NO. 88 and CHI HSIANG NO. 7 approaching port and no vessel transmitting as BINTANG SAMUDRA-68. It was suspected that the vessel transmitting on AIS as CHI HSIANG

NO. 7 was the BINTANG SAMUDRA-68. Research revealed that the BINTANG SAMUDRA-68 was formerly flagged to Taiwan and had held various previous names. No illegal, unreported and unregulated (IUU) fishing history was found for either vessel so Kenya permitted transhipment. Photos of the vessels were taken by Kenyan inspectors at this time.

**AUG 2014** FISH-i continued to monitor the vessels, which began to operate in Madagascar waters. Analysis of the AIS tracks for CHI HSIANG NO. 7 and Madagascar vessel monitoring system (VMS) data for BINTANG SAMUDRA-68 confirmed that these were in fact the same vessel.

**DEC 2014** A longliner named KARYA WIJAYA 201 called in to Port Louis in December. Later that month a vessel with the same

name returned to Port Louis, but Mauritian inspectors noticed differences in the design of this vessel to the previous one, and that it had recently been painted. Photos were taken by inspectors and shared with the rest of FISH-i. The second vessel was identified transmitting on AIS as CHI HSIANG NO. 7. The vessel departed Port Louis that night and Mauritius reported to FISH-i countries to look out for the vessel as it appeared to be using a fake identity.

**DEC 2014** Photo analysis revealed that the vessel that called into Port Louis at the end of December showed many similarities with the BINTANG SAMUDRA-68 photographed in Mombasa in June 2014, and was likely to be the same vessel. A possible motivation for the identity swap is the difference in Indian Ocean Tuna Commission (IOTC) fishing authorisation periods for the vessels – the authorisation

- ▶ for BINTANG SAMUDRA-68 had expired in July 2014, whilst the KARYA WIJAYA 201 was authorised until May 2015.

**APR 2015** News sources in Indonesia reported the deaths of five Indonesian fishermen on board fishing vessels BINTANG SAMUDRA-68 and BINTANG SAMUDRA-11, in waters off Senegal. The timing and location of this incident indicate that the vessel involved was unlikely to be the same BINTANG SAMUDRA-68 that was operating under that name in the Western Indian Ocean. The real identity of the vessel operating in Senegalese waters is not yet known. It is also not known if either of these two vessels is the 'real' BINTANG SAMUDRA-68.

The BINTANG SAMUDRA-11 is also the name used by a vessel that was detained by South Africa from 2013 to present. The vessel in South Africa has markings on the hull indicating that it was previously named HOOM XIANG 202.



## WHAT WORKED?

- Well trained fisheries inspectors applying port State measures spotted differences in vessels using the same name.
- Accessible photographs of fishing vessels provided crucial evidence.
- AIS and VMS data allowed comparisons of tracks from the suspect vessels.
- Regional cooperation between FISH-i members allowed information to be cross checked and verified.

## WHAT DID FISH-i AFRICA DO?

- Took photographs of vessels and analysed them to establish identity.
- Tracked vessels and compared AIS with VMS information.
- Inspected vessels and shared inspection reports.
- Researched and monitored fishing vessels and company structures.

## WHAT NEEDS TO CHANGE?

- Publicly available photographs will help to reduce the high level of vessel identity fraud seen in the Western Indian Ocean.
- Communication with flag States needs to be improved to help unearth the true identity and history of vessels and ensure that fishing vessels operate according to the rules when fishing in foreign waters.
- A mandatory global record of fishing vessels and available IMO numbers would make vessel identity fraud easier to identify.
- Improved processes for RFMO-listing of IUU fishing vessels will encourage better due diligence in licensing or registering of fishing vessels.



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.

**VESSEL IDENTITY** At least five vessels were evidently using the identity of two fishing vessels. By painting over vessel identifiers such as names and call signs, operators can easily and cheaply switch identities in a short space of time, assuming the identity of a licensed and authorised vessel. A vessel transmitting on AIS as CHI HSIANG NO. 7 was physically painted with the name BINTANG SAMUDRA-68, while some months later, a vessel transmitting on AIS as CHI HSIANG NO. 7 was physically painted with the name KARYA WIJAYA 201, photographic analysis of the two

vessels demonstrated that they were likely to be the same vessel.

**BUSINESS PRACTICES** In trying to identify the owners, links to a bankrupt Indonesian company were made, but the current vessels owners could not be identified.

**DOCUMENT FORGERY** (suspected) Documents were presented to Mauritius in the name of KARYA WIJAYA-201, however it is not clear if these were forgeries, or copies of documents from the true KARYA WIJAYA-201. Forged documents are likely to have also been required to support the other name changes.

**FLAGGING ISSUES** (suspected) Indonesian and Taiwan flags were used by the vessels, but due to the identity issues it is suspected that these may have been false flags.