

GREENPEACE
Esperanza Tuna Expedition 2016
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THE DODGY CASE OF THE EXPLORER II

On 29 April 2016, the Greenpeace ship MY Esperanza encountered the support vessel *Explorer II*¹ as part of Greenpeace's ongoing work documenting tuna fishing activities in the Indian Ocean. The *Explorer II* was at anchor at the seamount chain known as Coco de Mer, where it is acting as a giant Fishing Aggregating Device (FAD) and using a high number of intensive lights to attract tuna at night.



The Explorer II

1. Explorer II, flagged to Seychelles. IOTC Registry Number: IOTC0015486. IMO: 0009171644. ICRS:S7IM.

1/ Use of anchored vessels and lights as FADs

The Coco de Mer (also known as Travin Bank) is a chain of seamounts located on the high seas, in the south-west Indian Ocean, north of the Seychelles EEZ. For nearly two decades, a support vessel has been permanently anchored on this seamount chain, acting as a giant FAD and using spotlights by night to keep fish schools aggregated.

The fact that support vessels are anchoring on seamounts in the Indian Ocean, as a means to attract tuna schools, has been well known for years. Many IOTC reports and scientific publications mention the specific case of the Coco de Mer. For example:

“In the Indian Ocean, the first support vessels appeared in the late 1980s to act as anchored FADs on the Travin Bank (or seamount ‘Coco de Mer’), enhancing the aggregation of tuna through powerful flashlights.”²

“Seven of the sixteen ships recorded at the moment have been any time anchored on a seamount. Two of them were permanently anchored on Coco de Mer...”³

Greenpeace has been contacted several times by fishing communities who have highlighted the use of support vessels as giant FADs, the use of lights at night to keep the fish aggregated, and the resulting increase of tuna catches associated with these practices.

2/ A dodgy vessel

The Greenpeace ship MY Esperanza has been documenting tuna fisheries in the south-west Indian Ocean since 15 April 2016 and exposing destructive or illegal activities related to industrial tuna fishing, with a focus on purse seine fishing and their massive and out-of-control use of FADs.

On 29 April, the Esperanza came across the *Explorer II* while at anchor on the Coco de Mer seamount chain at 0°24'22, 44N; 56° 1'50.35 E.

During the night, the Esperanza crew were able to see the lights from the *Explorer II* from a distance of 15 nm. The Esperanza moved closer to the vessel, aiming to document its activities. When the Esperanza arrived at a distance of 8 nautical miles, the *Explorer II* turned off its lights and pulled anchor. Throughout the night the *Explorer II* navigated without any AIS or even navigation lights.

When the next morning the Esperanza contacted the *Explorer II* by VHF and asked about the use of lights and the non-compliance with navigation rules, the only answer was “You should contact our company”.

2. See page 1: Assan C et al (2014), Seychelles auxiliary vessels in support of purse seine fishing in the Indian Ocean during 2005-2014 : Summary of a decade of monitoring. IOTC-2015-WPTT17-41.

<http://www.iotc.org/documents/seychelles-auxiliary-vessels-support-purse-seine-fishing-indian-ocean-during-2005%E2%80%932014-0>

3. See page 4: Ramos ML, Delgado de Molina A, and Ariz J (2010). Analysis of activity data obtained from supply vessels' logbooks implemented by the Spanish fleet and associated in Indian Ocean. 2010-WPTT-22. <http://www.iotc.org/documents/analysis-activity-data-obtained-supply-vessels-logbooks-implemented-spanish-fleet-and>



This aerial photo taken from the Esperanza shows the Explorer II with clearly visible mooring anchors. The pictures also show the very high numbers of spotlights around the vessel (at least 80 of these lights can be identified). The deck of the Explorer II also carries a large number of FADs and beacons.

When the Esperanza left the area the *Explorer II* had not returned to her initial anchor point. The mooring anchors were clearly visible. This mooring infrastructure is further evidence that this seamount is a permanent spot for anchoring support vessels. It also shows that the *Explorer II* was not simply at this anchor point for a temporary stop, or for a meeting with a purse seiner to supply spares or FADs/beacons.

Based on the existing literature on this specific case, the intelligence or testimonies we have, and the direct documentation with the Esperanza, there is no doubt that the *Explorer II* is more than just a support vessel. Rather, the vessel is acting as a giant FAD and using lights to attract tuna.

We find no other reason to have such significant numbers of spotlights on this type of vessel. Purse seiners do not carry out fishing operations at night and, in any case, the spots were oriented in the direction of the water.

It is possible that the *Explorer II* could be replaced from time to time by another support vessel operating in the IOTC area – other vessels have been reported to act as FADs – but it is also clear that with the number of spotlights installed on the side, this vessel is probably dedicated for use at this anchor point.

3/ A grey area of legality

In 2015, the IOTC adopted Resolution 15/07 which banned the use of lights on FADs:

“Fishing Vessels including support and supply vessels flying the flag of an IOTC Contracting Parties or Cooperating Non-Contracting Party (collectively CPCs) are prohibited from installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species or non-target, associated or dependent species on drifting Fish Aggregating Devices (DFADs).”⁴

But the initial proposal clearly included the use of lights on support vessels in this ban:

“1. **Fishing Vessels** flying the flag of an IOTC Contracting Parties or Cooperating Non-Contracting Party (collectively CPCs) are prohibited from installing or operating surface or submerged lights for the purpose of aggregating tuna and tuna-like species or non-target, associated or dependent species on

- a) drifting fish aggregating devices (DFADs); or
- b) **drifting or anchored supply or support vessels.**

2. CPCs shall prohibit their flagged vessels from intentionally setting a purse seine net around a DFAD, **supply or support vessel** having operated surface or submerged lights for the purpose of aggregated tuna and tuna-like species or NTADs in the IOTC area of competence.”⁵

This means that the use of lights on FADs is clearly prohibited. We could argue that the *Explorer II* is in fact acting as a FAD, even if not drifting, and that using lights is in contravention of IOTC Resolution 15/07. On the other hand, it is not a clear case of IUU fishing, at least until a new resolution for the ban on the use of lights on vessels is adopted. However, it is also clear that even if this practice is not yet illegal, it certainly should be, and may be soon.

This year, a proposal from Mauritius will be discussed at the IOTC meeting (23-27 May in La Réunion) that aims to ensure the ban on aggregating lights also covers supply and support vessels:

“1. Fishing vessels and other vessels **including support, supply and supply auxiliary vessels** flying the flag of an IOTC Contracting Parties or Cooperating Non-Contracting Party (collectively CPCs) are prohibited from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species or non-targeted, associated or dependent species on drifting Fish Aggregating Devices (DFADs). The use of lights on DFADs is also already prohibited.

2. CPCs shall prohibit their flagged vessels from intentionally setting a purse seine net conducting fishing activities around or near **any vessel or device a DFAD equipped**

4. Resolution 15/07 on the use of artificial lights to attract fish to drifting fish aggregating devices <http://www.iotc.org/cmm/resolution-1507-use-artificial-lights-attract-fish-drifting-fish-aggregating-devices>

5. IOTC-2016-S20-PropK. On the Use of Artificial Lights to Attract Fish: <http://www.iotc.org/documents/use-lights-attract-fish-dfads-and-vessels-supporting-purse-seining-operations-mauritius>

with artificial lights for the purpose of attracting fish under the mandate of the IOTC and in the IOTC area of competence.”⁶

This case is a good example of the continuous race that some tuna companies have embarked upon to expand their fishing capacity, in the absence of effective regulations to ensure such capacity remains within sustainable limits. The unregulated expansion of the number of FADs in the Indian Ocean has been assisted by the increasing use of support vessels. This is a well-established problem that has triggered a ban on the use of support vessels in the East Pacific by the Inter-American Tropical Tuna Commission (IATTC).

The current situation is facilitated by the appallingly slow pace at which parties to the IOTC respond to these strategies, as exemplified by past failed attempts to ban the use of lights on support vessels. The result has been an increasing overcapacity problem, together with the direct ecological impacts of the use of aggregating devices in an area of important fish concentrations like a seamount.

All these problems drive overfishing in the region and are a clear indication that the fisheries are not managed sustainably and that the industry is not acting responsibly.

Greenpeace believes that the use of vessels as giant FADs, and the use of lights by these vessels for keeping fish schools aggregated, should be prohibited. Using support vessels to deploy FADs must also be prohibited in the area of competence of the IOTC, as has been done in the East Pacific Ocean. Buyers should not accept tuna from any fishing operations using these practices.

4/ The supply chain: From Coco de Mer to Thai Union

The *Explorer II* is obviously not directly catching tuna and nor is it operating alone – it is a support vessel. The *Explorer II* is part of a large-scale industrial chain of supply, and at the end of this supply chain is the biggest player of the region, Thai Union, and its cannery in Victoria, known as Indian Ocean Tuna (IOT). The tuna processed in this cannery ends up in supermarkets in Europe with the brands of Thai Union: John West for the UK and the Netherlands, Petit Navire for France, or Mareblu for Italy.

The *Explorer II* is flying the flag of Seychelles and is owned by a Seychelles company named Isabella. Isabella is owned by one of the key players in the Indian Ocean for industrial fishing operation, the Albacora group.⁷

Albacora is operating in the south-west Indian Ocean, with six large industrial fishing vessels and six support vessels registered to Albacora, and two with Isabella. Albacora is the fishing company operating the largest numbers of support vessels.

6. Proposal K On the use of artificial lights to attract fish. IOTC-2016-S20-PropK[E].
http://www.iotc.org/sites/default/files/documents/2016/04/IOTC-2016-S20-PropKE_-_Use_of_lights_-_Mauritius.pdf

7. “El último pedido del astillero que ha trascendido es otro macicero para la sociedad Isabella Fishing Ltd., propiedad de la compañía armadora vasca Albacora y domiciliada en el archipiélago de las islas Seychelles”
<http://www.asime.es/armon-vigo-construye-un-segundo-buque-auxiliar-para-la-flota-atunera-de-albacora/>

Greenpeace investigations on Thai Union's supply chain in the UK, the Netherlands, France and Italy, using the identification codes on the tuna cans or from direct information from the company, identified links between Albacora and Thai Union brand products as follows:

- The *Albacan*, eight cans from Petit Navire; confirmed by Mareblu
- The *Albacora Uno*, for Petit Navire;
- The *Albatun Dos*, supplying Petit Navire; John West in the Netherlands;
- The *Albatun Tres*, for the UK market with John West.
- On 30 April, the *Albacora Dos* was alongside the Thai Union cannery in the port of Victoria.

This means that we have evidence for four of the six Albacora-owned purse seiners selling fish to Thai Union, and a significant likelihood of a link to one more.

As a buyer, Thai Union has a real responsibility and must rid its supply chain of practices like using artificial drifting FADs, using support vessels as FADs, and using lights at night to attract tuna.

Greenpeace calls on Thai Union to immediately stop sourcing any tuna that comes from such fishing operations, and from any tuna caught on the Coco de Mer seamount chain, as long this support vessel is still anchored at this site.

Greenpeace asks Thai Union to source tuna from sustainable fishing practices only.

