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# **PLUNDERING THE PACIFIC**

## **Summary of findings of Greenpeace joint enforcement exercises with FSM and Kiribati, September 4<sup>th</sup> – October 23<sup>rd</sup> 2006**

### **1 - BACKGROUND**

Greenpeace and fisheries authorities from Federated States of Micronesia (FSM) and Kiribati have, over the course of seven weeks, undertaken joint surveillance and enforcement exercises in the Pacific. The work included patrolling the exclusive economic zones (EEZ) of both nations, and boarding and inspecting fishing vessels found in these areas. The collaboration has exposed some key findings about the nature of illegal, unreported and unregulated IUU fishing in the Pacific.

Globally, pirate fishing, or IUU, accounts for 20% of the total catch and is worth up to US\$9 billion a year. In the Pacific pirates steal more than 4 times what the region earns in licences.

Foreign fishing nations have plundered their own marine resources, and are now invading the Pacific. Foreign fleets from Japan, Taiwan, China, Korea, the US and the EU take 90% of Pacific tuna, and pay Pacific Island Countries a mere 5 % of the USD \$2 billion annual profits. Two key Pacific tuna stocks Bigeye and Yellowfin could face commercial extinction within three years because of foreign overfishing.

The environmental, economic and social impacts of overfishing and pirate fishing are devastating to Pacific Island Communities. Pirate fishing exacerbates overfishing and seriously undermines any efforts to manage or conserve stocks. Pacific islanders are being robbed of the fish that is their primary source of protein, and the backbone of their economies.

The Western and Central Pacific Fisheries Commission (WCPFC or Tuna Commission) was set up in 2004, to manage and protect tuna stocks. The Commission is made up of all Pacific Island Countries and foreign fishing nations with an interest in the region. The Tuna Commission controls the high seas areas that are outside the jurisdiction of EEZs.

The Tuna Commission is very young, and seriously lacks the resources to effectively manage and patrol Pacific waters.

Pirate fishing is so widespread because ships take advantage of the lack of enforcement resources available to Pacific Island Countries. Kiribati's EEZ, for example, covers an area of over 3 million square miles, yet the country has only one small patrol boat for the entire area.

The Greenpeace ship the Esperanza was able to support the FSM and Kiribati fisheries authorities to carry out enforcement work. These collaborative exercises revealed a lot about the nature of IUU fishing in the region.

Over the course of the expedition a total of 8 fishing vessels were boarded and inspected. The vast majority had serious reporting problems through their Vessel Monitoring Systems (VMS). A number of vessels also showed strong indications that they had been transshipping (offloading their catch) at sea.

## **2 - KEY FINDINGS**

The joint surveillance exercises revealed that the IUU fishing in the Pacific is not necessarily a problem of unlicensed vessels operating in the region or overt illegal catches of fish. Rather, the inspections revealed licensed vessels taking advantage of the lack of resources, exploiting loopholes in governance, and undermining management efforts.

Two key findings:

- The current VMS system does not offer a foolproof system for tracking vessel positions and / or activities.
- Licensed vessels fail to report and /or underreport catches, made easier by the fact that transshipment and refueling on the high seas is unregulated.

### **Transshipment**

To maximise time at sea and to minimize costs for bunkering (refueling), fishing vessels will try to transship at sea rather than in port. Globally, one of the main ways ships launder illegally caught fish is by transshipping at sea.

Lack of strict regulatory frameworks and areas with minimal surveillance make it particularly easy to carry out transshipments at sea.

Transshipments at sea are illegal for most vessels throughout the Pacific, both in EEZs and on the high seas, however a significant loophole excludes Longliners. While it is illegal for them to transship in EEZ's it is not yet outlawed on the high seas.

The Pacific high seas are not yet regulated, and fishing vessels exploit this to transit out to them to offload their catch. They then re-enter EEZs to resume fishing. Many fishing vessels operating in the region stay out at sea for months, sometimes years without entering into port. The catch rate of tuna, which for a Longline vessel is approximately a ton a day, and the holding capacity of these vessels suggest that at sea transshipments must be taking place.

For example, one Korean Longliner the DongWon 117, boarded by Greenpeace and Kiribati enforcement had only 130 tons of tuna on board, despite having been at sea for 13 months.

The joint surveillance exercises revealed discrepancies in reporting, the catch onboard, and the time spent out at sea.

## **Vessel Monitoring System (VMS)**

A VMS automatically collects, records and analyses information related to the location and activity of vessels. VMS is designed to aid fisheries enforcement, particularly as it is virtually impossible to physically monitor huge expanses of ocean.

All signatories to the Forum Fisheries Agency (FFA) – an umbrella organisation which administers the EEZs of Pacific Island Countries - are required to have a VMS installed on their vessels. The system must continuously report the vessel's position to the licensing country and FFA when they are inside any Pacific Island's EEZ.

There is currently no requirement for vessels to report when they are on the high seas. This is a serious flaw as it makes it almost impossible to track their activities.

The surveillance exercises found that despite vessels having their VMS systems switched on, some had not reported for months, others were reporting intermittently, suggesting either technical faults, or that they had been switched on and off.

4 boats boarded with the FSM enforcement authorities, had their VMS on, but were not reporting at the time. It was impossible to prove whether they knew this to be the case or not.

Vessel monitoring is the backbone of effective patrol and surveillance. Not reporting means there is no way of knowing how long boats stay out to sea for, nor how much or what they catch. Ships not reporting in the Pacific are almost certainly doing so to be able to transship their dirty catches.

### **3 - CASE STUDIES**

**Yusei Maru 8** – 12<sup>th</sup> September 2006 – Japanese Longliner in FSM's EEZ

The Yusei Maru 8's VMS system was switched on, it had been in FSM waters for 3 weeks but had not reported at all in this time. Basic documents such as licenses, catch diaries, bunkering and supplies records were inspected and verified with land based FSM marine enforcement.

The ship was ordered to stop fishing immediately, to manually report every 8 hours, and to go to directly to the nearest port of Guam to get its VMS fixed.

**Kaisei Maru 53** – 13<sup>th</sup> September 2006 – Japanese Longliner

The Kaisei Maru 53 had the same problem as the Yusei Maru 8 of not reporting – It's VMS was switched on but it hadn't been reporting. Basic documents such as licenses, catch diaries, bunkering and supplies records were inspected and verified with land based FSM marine enforcement. The ship was ordered to stop fishing immediately, to manually report every 8 hours, and to go to directly to the nearest port of Guam to get its VMS fixed.

**Wakaba Maru 8** – 14<sup>th</sup> September 2006 – Japanese Purse Seiner

Wakaba Maru 8 yet again had its VMS on, but was not reporting. Basic documents such as licenses, catch diaries, bunkering and supplies records were inspected and verified with land based FSM marine enforcement. The ship was ordered to stop fishing immediately, to manually report every 8 hours, and to go to directly to the nearest port of Guam to get its VMS fixed.

**Sajo Familia – 15<sup>th</sup> September 2006 - Korean Purse Seiner**

Yet again VMS was switched on, but not reporting. Basic documents such as licenses, catch diaries, bunkering and supplies records were inspected and verified with land based FSM marine enforcement. It's last known port stop had been in Kiribati. The ship was ordered to stop fishing immediately, to manually report every 8 hours, and to go directly to the nearest port of Guam to get its VMS fixed.

The fact that all 4 boats had the same problem, but that there was no way of proving it exposes significant problems with the current VMS system.

**Tai Xing – 16<sup>th</sup> September 2006 – Chinese Mothership**

The Tai Xing was a reefer – a refrigerated container ship which picks up and drops off fish catches from boats. Almost certainly used for transshipment at sea. It had been reporting and documents checked out. Her last port of call had been Madang, PNG. However, she had been adrift for 8 days out at sea, reefers are not supposed to drift only to travel from port to port. She only had 300 tons of tuna onboard, and has a holding capacity of 3,218 tons in total.

The Tai Xing argued that they had been drifting because there were no boats to offload from in port, and it was uneconomical for them to go into port until there were.

This is not acceptable. There must be better regulation of all reefers.

**Dong Won 117 – Korean Longliner boarded 4<sup>th</sup> October 2006, Kiribati EEZ (close to high seas border)**

The vessel had been inconsistent in reporting its position. Available documents - licenses, catch diaries, bunkering and supplies records – were inspected and verified with a Kiribati marine enforcement and FFA land-based team. The ship had been at sea for 13 months without entering port at all to offload or refuel. She had last refueled on the high seas on the 22<sup>nd</sup> of September, from the Korean registered *So Yang* reefer.

There were no transshipment records available. The captain said none had taken place, yet the vessel reported a total catch of just 130 tons of fish, and there was plenty of space in the hold. Its total hold capacity is 393 tons.

Further VMS data inspection revealed the tracks out on the high seas coincided with non-reporting periods. It was agreed that pending further verification, the Dong Won 117 should stop fishing and return to Korea. The next morning new orders were given for the Dong Won 117 to stay where she was. The vessel ignored the repeated orders and steamed out to the high seas. Once she entered the high seas, she was beyond Kiribati's jurisdiction.

**Oryong 316- Korean Longliner - boarded 9<sup>th</sup> October 2006, Kiribati EEZ**

This vessel had been out at sea for 18 months, and had refuelled 9 times without entering into any port, she had been reporting inconsistently. As with the Dong Won 117, the vessel's hold was remarkably empty, with a total reported catch of 200 tons, for 18 months. Its total holding capacity is 380 tons. Chats with crewmembers suggested that the vessel had in fact entered PNG waters. The Oryong 316's exact route of over the past 18 months has not yet been verified.

Both the Dong Wong 117 and the Oryong 316 showed strong indications of unreported transshipment. They have relatively small holds, and even if they had been full, it would be economically unviable to be at sea for such lengths of time (13 and 18 months respectively) without transshipping. Bunkering at sea makes it much easier for them to get away with this.

**Shin Yung 51** – Korean Longliner - boarded 9<sup>th</sup> October 2006, Kiribati EEZ

Following the inspection of the Oryong 316, the boarding team proceeded to the Shin Yung 51. The routine inspection immediately revealed a potential violation; the VMS box appeared to have been tampered with (the certifying sticker had been removed and replaced). Only FFA authorised personnel are allowed to install, remove or repair VMS boxes. The Shin Yung 51 was ordered to co-operate with the Kiribati authorities until the investigation was complete.

The Shin Yung 51 had been out at sea for a period of 7 months; its total catch was 290 tons. The hold was full and the ship reported to be heading back to Korea in a week's time for offloading. The inspection team remained with the Shin Yung 51 for 24 hours, until it was confirmed that the VMS box had not been tampered with.

#### **4 - CONCLUSIONS AND RECOMMENDATIONS**

Pacific tuna stocks are in serious trouble. Current management efforts are not sufficient, and the control measures in place are proving to be ineffective. The problems are made worse by pirate fishing; not necessarily by unlicensed vessels or overt illegal activity but instead by regular non-reporting of catch and activities.

The lack of resources available to effectively patrol the water of the Central and Western Pacific, the unregulated nature of the high seas, and the inconsistent and unreliable nature of VMS all make it far too easy for illegal activity to take place. These serious loopholes need to be closed if we are to move towards sustainable fisheries management in the region.

Greenpeace calls on all member states of the WCPFC to adopt the following recommendations:

- A ban on ALL at sea transshipments both within Pacific Island Countries, and on the high seas.
- A ban on ALL at sea bunkering
- A drastic reduction in the amount of vessels operating in the region. In
- light of the lack of reliable science on stock size or impacts of the fishery on the broader marine environment and in accordance with the precautionary principle – fishing effort should be halved.
- Foreign fishing nations should be liable for their vessels. If a VMS system does not work then a vessel's license must automatically be revoked until it is fixed. If a ship is found to be acting illegally or misreporting, it must immediately be banned from fishing in the Pacific again.

- For the privilege of fishing in the Pacific, Distant Water Fishing Nations (DWFN) should pay more in licensing fees – a proportion of this money must be used to increase and improve the human and technical resources to effectively patrol and manage these waters.
- DWFN and the WCPFC must implement the precautionary and ecosystem approaches, in accordance with the UN fish stocks agreement, as the core components of its management and conservation regime.
- DWFN must support efforts to effectively manage and conserve Pacific fisheries including financial, training and enforcement support.
- The WCPFC must immediately establish a quota system for tuna stocks that ensures levels caught are sustainable.
- Member states of the WCPFC must agree on a management structure for the High Seas to ensure that the high seas are regulated and to immediately establish strategic areas of the high seas as no-take marine reserves. Marine Reserves are national parks at sea where no human activity is allowed to take place. Greenpeace are calling for 40% of the global oceans to be made into Marine Reserves.
- In the Pacific, as a starting point the immediate establishment of a marine reserve in an enclosed high seas area bound by Palau, FSM, PNG and Indonesia, and a commitment to establishing a second fully-protected marine reserve to the east in the future"
- The WCPFC must immediately agree to require independent Observers onboard all fishing vessels operating in the region.
- The WCPFC must establish a single, centralized, tamper proof, compatible and real-time reporting VMS system for all vessels licensed to fish in the WCPFC area, including the high seas areas.
- The WCPFC must establish a single, publicly available "white vessel list" for all vessels licensed to operate in the region.
- All vessels breaching the agreed conservation or management measures of the convention must be blacklisted. This list must be made available to the public as well as to all WCPFC member states.
- WCPFC member states must adopt and implement port state measures to ensure that legal action can be taken against such blacklisted vessels.
- Tough punitive actions must be established for all vessels and or associated agents in violation of any of the WCPFC rules and regulations.