



Pirate Fish on Your Plate

Tracking illegally-caught fish from West Africa into the European market
A report by the Environmental Justice Foundation



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The Environmental Justice Foundation is a UK-based non-governmental organisation working internationally.

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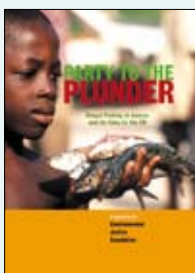
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In addition to the illegal, unreported and unregulated (IUU) fishing that occurs in West African waters, a significant amount of IUU fishing is carried out by EU vessels and/or companies on the high seas, as well as within the territorial waters of both European and developing States. These issues and the devastating impacts that IUU fishing has on marine ecosystems and the livelihoods of people in developing countries are explored in *Pirates and Profiteers* and *Illegal Driftnetting in the Mediterranean*. EJF's report *Party to the Plunder* documents the negative impacts of pirate fishing in Guinea, and its links to the European Union. All EJF reports are available for download at www.ejfoundation.org.

GLOSSARY

CNFC – China National Fisheries (Group) Corp.

DG SANCO – Food and Veterinary office of the EU Directorate-General of Health and Consumer Protection

DfID – UK's Department for International Development

EEZ – Exclusive Economic Zones

EJF – Environmental Justice Foundation

EU – European Union

FAO – United Nations Food and Agriculture Organization

FoC – Flags of Convenience

Guinea – Republic of Guinea, also known as Guinea-Conakry

IMO – International Maritime Organisation

IPOA – International Plan of Action (to combat IUU fishing)

IUU Fishing – Illegal, unreported and unregulated (IUU) or 'pirate' fishing

MAPA – Spanish Ministry for Agriculture, Fisheries and Foods

MEP – Member of European Parliament

RFMO – Regional Fisheries Management Organisation

SOCU – (West Africa) Regional Surveillance Operations Co-ordination Unit



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Contents

Executive summary	1
Introduction	3
Pirate Fish on Your Plate – The journey from Africa to UK	4
Pirate Fish in the UK – EJF Research Findings.	5
Billingsgate Fish Market	6
IUU fish in Europe.	6
Las Palmas: A Haven for IUU Fishing	7
One boat: four identities	9
Legal Status of Las Palmas	10
Flags of Convenience (FoC)	10
Ship to Shore – Tracking illegally-caught fish from West Africa into the European market	11
The problem of transshipments	13
The Impacts of IUU fishing in Guinea	14
Dirty fish on your plate – The links between IUU fishing, fish hygiene, and your health.	16
Case Study – China National Fisheries Corp. (CNFC).	17
Conclusion	18
Recommendations	19
References	21
Vessels observed in Guinean waters by EJF and Greenpeace	22



Clockwise:

Fishing is a crucial economic and social activity in Guinea, and specifically benefits women who process the fish. ©EJF

During the course of EJF's investigations in Guinea, 53 foreign flagged vessels were observed engaged in IUU fishing activities. ©EJF

Fish stocks in Guinean waters are in a perilous state. Rampant IUU fishing is preventing the sustainable management of a resource that millions of people depend upon for food and livelihoods. ©AFMA

Fish stolen from West Africa enters the legitimate marketplace and end up on the plates of unsuspecting consumers throughout Europe. ©EJF

Despite supposedly meeting strict EU hygiene standards, storage and handling conditions aboard many IUU vessels are often very unsafe, compromising the health and safety of European consumers. ©Greenpeace/Gleizes

Executive summary

I



Illegal, unreported and unregulated (IUU) or 'pirate' fishing has been implicated as one of the most serious threats to the future of world fisheries. Occurring in virtually all fishing grounds, pirate fishing is widely believed to account for a significant proportion of global catches. This report reveals the links between illegal, unreported and unregulated (IUU) fishing vessels operating off the coast of West Africa, the Spanish 'port of convenience' Las Palmas in the Canary Islands, and consumers and retailers in the UK. It details the illegal operations at sea, and the laundering process which enables IUU vessels to sell their catch in Europe, in the absence of oversight or checks as to the provenance and legality of the fish.

- The Environmental Justice Foundation's (EJF) investigations focussed on suppliers such as London's Billingsgate fish market, where we found two of the snapper species commonly known as Denton marked as coming from FAO Statistical Area 34 (West Africa). Sold under the generic name "snapper" or occasionally "sea bream" in the UK, Denton is caught incidentally by shrimp trawl fisheries: one of the most ecologically destructive and wasteful tropical fisheries due to the indiscriminate capture of non-target species in the trawl nets.
- EJF identified a number of boxes of Denton carrying the logo of CNFC, a state-owned Chinese company that owns many of the IUU vessels operating in Guinea. Identical boxes were seen in three locations during the course of our investigations – on board IUU vessels in West Africa, in the notorious "Port of Convenience" Las Palmas in the Canary Islands, and finally in the UK marketplace.
- The process of laundering illegal fish into the EU marketplace makes tracing IUU fish virtually impossible. However while it isn't possible to definitively prove that the fish within the boxes discovered by EJF are IUU-caught, our investigations show that there is strong evidence linking them to IUU vessels, and to assert that IUU-caught fish is entering Europe, and being sold in the UK.
- One of the countries worst-affected by IUU fishing is Guinea in West Africa. In 2004/05, EJF investigators conducted field interviews with communities and enforcement authorities who all confirmed that IUU fishing is a significant and growing problem. In 2006, EJF returned to Guinea in partnership with Greenpeace International to investigate the extent and impact of IUU fishing. During the course of this investigation we observed 104 vessels, over half of which (53) were either engaged in, or linked to, IUU fishing activities.
- Investigators documented a range of IUU practices including: vessels fishing without a licence; vessels fishing in the 12-mile zone reserved for local artisanal fishermen; the illegal transshipping of fish between fishing vessels and to refrigerated cargo ships; the repackaging of fish products on IUU vessels into boxes stamped with the name of a legal boat; the deliberate hiding of identities; and more than one vessel purporting to be a single ship. Many of these activities effectively allow illegal fish to be 'laundered' into legal catches and the legitimate marketplace.
- Under EU law, individual vessels from third-party countries that want to export fish to the European Union need an approval number, designated by the Food and Veterinary office of the EU Directorate-General of Health and Consumer Protection (DG SANCO). However, it is the designated authority of the third-party country that is responsible for the inspection and monitoring of vessels and establishing whether the vessels meet EU hygiene standards. Of the 53 foreign flagged vessels EJF documented as engaged in, or linked to, IUU fishing activities in Guinean national waters, 70% (37) carried DG SANCO numbers. In addition to the illegal activities, EJF documented extremely unsafe hygiene conditions on many of the IUU fishing vessels, including those with DG SANCO numbers. Unhygienic IUU-caught fish is mixed with legal catches, compromising the health and safety of end consumers.
- Even allowing for such a small sample of the UK marketplace for West African seafood, our findings clearly indicate that much more needs to be done to prevent fish caught illegally from entering the EU. This report demonstrates that as long as the EU continues to serve as a marketplace for IUU fish, and Las Palmas as an entrepot, the illegal plunder of fish resources from West African waters will continue.
- The implementation and enforcement of a suite of inter-related measures are required to stop pirate fish entering the EU, and to eradicate IUU fishing. EJF contends that failure to adopt such measures will result in a rapidly deteriorating situation, including declines in commercial catches and marine biodiversity, and impoverished livelihoods in some of the world's poorest nations. It is also clear that these steps are vital to protect the European public from potential health impacts, and from unwittingly contributing to the devastating impacts of IUU fishing.

A small price to pay for environmental justice



£5 / \$6 per month could help kids get out of the cotton fields, end pirate fishing, protect farmers from deadly pesticide exposure, guarantee a place for climate refugees

This report has been researched, written and published by the Environmental Justice Foundation (EJF), a UK Registered charity working internationally to protect the natural environment and human rights.

Our campaigns include action to resolve abuses and create ethical practice and environmental sustainability in cotton production, shrimp farming & aquaculture. We work to stop the devastating impacts of pirate fishing operators, prevent the use of unnecessary and dangerous pesticides and to secure vital international support for climate refugees.

EJF have provided training to grassroots groups in Cambodia, Vietnam, Guatemala, Indonesia and Brazil to help them stop the exploitation of their natural environment. Through our work EJF has learnt that even a small amount of training can make a massive difference to the capacity and attitudes of local campaigners and thus the effectiveness of their campaigns for change.

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and we and our partners around the world will be very grateful.



Protecting People and Planet



Introduction 2

Illegal, unreported and unregulated (IUU) or 'pirate' fishing has been implicated as one of the most serious threats to world fisheries. Occurring in virtually all fishing grounds, pirate fishing is widely believed to account for a significant proportion of global catches^{1, 2, 3}; estimates suggest that in some ports, between 19 and 50% of total catches are made by IUU vessels^{4, 5}. At a time when the United Nations Food and Agriculture Organization (FAO) has estimated that 75% of the world's fish stocks are fully exploited, overexploited or depleted⁶, pirate fishing represents a serious challenge to effective fisheries conservation and management worldwide. The potential for us to lose the fish we eat within our lifetime is very real; estimates are that at current rates of depletion, most fish stocks around the world will collapse by 2048⁷.

The waters off West Africa support one of the world's most productive marine ecosystems, upon which millions of people depend for food and income: the fisheries sector accounts for up to one quarter of the region's employment⁸. However many of these countries lack the resources to effectively police their territorial waters (Exclusive Economic Zones, or EEZs), which extend 200 miles out to sea, and are increasingly targeted by illegal fishing fleets. Africa alone is now losing almost 1 billion US dollars a year to illegal fishing activities⁹. Foreign pirate fishing vessels plunder vital fish stocks, and enter areas reserved for artisanal fishing¹⁰, sometimes coming as close as 4 miles from shore¹¹.



©EJF

©Kate Eshelby

Pirate fishing operations are stealing an invaluable protein source from some of the world's poorest people while damaging the livelihoods of legitimate local fishermen^{12, 13}. One of the countries worst-affected is Guinea, where EJF investigators conducted field interviews with communities and enforcement authorities who all confirmed that IUU fishing is a significant and growing problem. In 2006 EJF, in partnership with Greenpeace International, investigated the extent and impact of IUU fishing in Guinea. During the course of this investigation we observed 104 vessels, over half of which (53) were either engaged in, or linked to, IUU fishing activities.

Pirate fishermen would not operate without a market for their catch. One of the main driving forces behind IUU fishing in West Africa is a growing demand for seafood in Europe. EJF's investigations led us to the final part of the supply chain – the sale of seafood in the UK, linking it back to West Africa, via the Spanish port of Las Palmas de Gran Canaria (Canary Islands). Our investigation used a shortlist of only 44 vessels (the 53 vessels we observed engaged in IUU fishing in Guinea, minus the 9 whose crime was to hide their name/identity). Trade statistics^{14, 15, 16} showed that the UK market for West African seafood is a relatively small proportion of the European total; demonstrating that IUU fish representing such a small market share and from such a small list of vessels was entering the UK could point towards a potentially much larger European problem.

EJF's investigations focussed on suppliers such as London's Billingsgate fish market, where we found two of the snapper species commonly known as Denton marked as coming from FAO Statistical Area 34, which includes West Africa. EJF identified a number of boxes of Denton carrying the logo of CNFC, a state-owned Chinese company that owned many of the IUU vessels we observed in Guinea. The same boxes were seen in three locations during the course of our investigations – on board IUU vessels in West Africa, in the notorious Port of Convenience Las Palmas in the Canary Islands, and in the UK market.

Even allowing for such a small sample of the UK marketplace for West African seafood, our findings documented in this report are shocking. They clearly indicate that much more needs to be done to prevent fish caught illegally from entering the EU if we are to eradicate the illegal trade that is decimating marine environments and livelihoods in West Africa.

3

Pirate Fish on Your Plate The journey from Africa to UK

In 2006 and 2007, EJF investigators found West African-caught Denton (*Dentex gibbosus* and *Dentex dentex*) in London fish markets, including Billingsgate Fish Market, which in turn supplies the specialist Afro/Caribbean Brixton Market, restaurants, the catering trade, fishmongers and other suppliers. Markets such as Billingsgate are not likely to be directly culpable in the illegal fish trade – rather they are the end distribution point for a supply chain that allows the laundering of illegal fish at its early stages into the European marketplace. At Billingsgate, EJF found evidence that linked this West African fish to vessels known to operate illegally in Guinea. A number of suppliers were carrying frozen boxes of Denton, including some which were marked with the logo of CNFC, a state-owned Chinese company that operates many of the IUU vessels we observed in Guinea.

Although the vessel identification stamps on most of the boxes were either faded or smudged, we were able to identify 11 vessel names. Four of these (10%) were on our original list of 44 vessels engaged in IUU activities. Significantly, all of the other seven named vessels were directly owned by companies that also owned vessels from our IUU list. Wrapping tape on the Billingsgate boxes clearly marked the boxes as having come directly from the Las Palmas facilities of Frigoluz, a Spanish fisheries company. Identical boxes had thus been recorded in three locations during the course of our investigations – on board IUU vessels in West Africa, in the notorious Port of Convenience Las Palmas in the Canary Islands, and finally in the UK marketplace.

IUU vessels are known to employ multiple practices to 'launder' their illegal catches, many of which have been observed and documented by EJF. Illegal practices include: the illegal transshipping of fish between vessels, the repacking of fish products into boxes stamped with the name of a legal boat and more than one vessel purporting to be a single ship. Therefore while it is impossible to definitively prove that the fish within the boxes found in the UK marketplace are themselves IUU-caught, our investigations show that there is strong evidence linking them to pirate fishing vessels and to assert that IUU-caught fish is entering Europe and being sold in the UK.

Denton (*Dentex gibbosus* and *Dentex dentex*), is a valuable food source throughout North and West Africa. Commonly sold under the generic name "snapper" or occasionally "sea bream" in the UK, stocks of Denton are themselves under threat; they were described as 'fully exploited' by the Committee for the Eastern Central Atlantic Fisheries, which recommended in 2003 that fishing efforts to catch demersal fish species such as Denton should be greatly reduced²⁰. Denton is typically a bycatch product from the tropical shrimp trawl fisheries operating in African waters to supply Europe and elsewhere.



Above: Denton for sale in the UK ©EJF

The United Kingdom is an important market for seafood in Europe. In 2005 fish imports equalled 717 thousand tons, with a value of almost £1.7 billion¹⁷. That same year the UK imported a total of 12,000 tons of fish from Spain¹⁸, including Las Palmas. It is likely that the UK demand for fisheries products from Spain is growing – a recent report commissioned by the Spanish Ministry for Agriculture, Fisheries and Foods (MAPA), released in April 2007, highlights that Spanish fisheries companies consider the UK as one of its most important markets¹⁹.



PIRATE FISH IN THE UK – EJF RESEARCH FINDINGS

DATES OBSERVED IN UK	VESSEL NAME ON BOXES	FLAG	DGSANCO#	LICENCED IN GUINEA (1st JAN – 31 MAR 2006)	OBSERVED IUU IN GUINEA	VESSEL / PRODUCT OBSERVED IN LAS PALMAS	IUU HISTORY/LINKS
08/12/2006	CNFC 24	China	3700/20043	Licensed			Observed in Guinea on 17/03/06 illegally transshipping to Hai Feng 830
08/12/2006	CNFC 2? (not 24)	China					Various CNFC vessels observed conducting IUU activities off West Africa
24/11/2006	CNFC 727			Not Licensed			Various CNFC vessels observed conducting IUU activities off West Africa
24/11/2006	CNFC 9307	China	1200/20003	Not Licensed			Boxes of catch from this vessel observed being unloaded from Hai Feng 896 to Spanish Pelagic, Grupo Banchio and Frigoluz without going through customs in Las Palmas April 2006. Various CNFC vessels observed conducting IUU activities off West Africa
24/11/2006 01/12/2006 08/12/2006	Jui Yuan 812 (aka Juiyuan 812)		1200/20037	Licensed			Arrested by Guinea 03/02/2005 Illegal mesh in the trawl, observed illegally transshipping off West Africa, mentioned in EJF report 'Party to the Plunder'. Not on Lloyds Seasearcher
08/12/2006	YanYu 632	China	3700/20025	Not Licensed			Various YanYu vessels observed conducting IUU activities off West Africa
24/11/2006	Yan Yu 801 (aka Yanyu 801)	China	3700/20001	Not Licensed			Various YanYu vessels observed conducting IUU activities off West Africa
24/11/2006	Yuan Yu 901 (aka Yuanyu 901)	China	1200/20053	Not Licensed			Boxes of catch observed being unloaded from the Hai Feng 896 to Spanish Pelagic, Grupo Banchio and Frigoluz without going through customs in Las Palmas April 2006. Various YanYu vessels observed conducting IUU activities off West Africa
24/11/2006	Yue Yuan Yu? (aka Yueyuanyu)	China					Yue Yan Yu vessels 7 & 8 both observed conducting IUU activities off West Africa.
08/12/2006	Yue Yuan Yu 7 (aka Yueyuanyu 7)	China	4400/20007	Licensed			Observed fishing without a licence off Guinea at 09°30N 15°29W 12/12/02
01/12/2006 01/05/2007	Zhi Jiang 5 (aka Zhijiang 5)	China	1200/20023	Licensed			Sighted by illegally transshipping to Hang Feng 830 on 16/03/2006



Above: A box of Denton in Billingsgate Market. Many of the boxes of fish that the EJF discovered in the UK were wrapped in the identification tape of the Spanish company Frigoluz. This company is one of three that have been combined by the fish processing giant Spanish Pelagic to produce the one of the largest and most modern coldstore facilities in Europe. Investigations in Las Palmas revealed that Frigoluz was receiving possible IUU fish from West Africa²¹, some of which appeared to bypass Custom's inspections.

©EJF



Above: Boxes of possible IUU fish for sale in Billingsgate Market. Despite being labelled as "Origen: China", examination of the FAO Catch Area shows they were caught off West Africa. Unusually, the name of the catch vessel is clearly legible: CNFC 24 – observed in Guinea in 2006 illegally transshipping fish at sea. ©EJF

BILLINGSGATE FISH MARKET

Billingsgate Fish Market has served London since 1327, and is the UK's largest inland fish market serving the catering trade as well as local fish markets. An average of 25,000 tons of fish and fish products are sold through its merchants each year, resulting in an annual turnover estimated to be in the region of £200 million²². Approximately 40% of the total tonnage that passes through its gates is imported fish and other seafood²³.

Billingsgate merchants can only buy products from companies that are registered either within the EU, or who are approved by their own competent authorities that have been approved by the EU²⁴. It is therefore important to clarify that it is not Billingsgate Market that is either engaged in laundering pirate fish or responsible for their existence in the UK marketplace; rather, UK merchants are the victims of an EU regulatory and enforcement framework that is clearly failing to prevent IUU fish entering Europe via Ports of Convenience such as Las Palmas.

Billingsgate Market provides seafood to: fishmongers and fish-and-chip shop proprietors; delicatessens; publicans; restaurateurs; cafe owners; embassies; specialist fish suppliers; world-renowned chefs; and buyers from some of London's most famous department stores and the country's greatest hotels²⁵. With an estimated 12,000 restaurants in London alone (over half of the UK total), and a further 6000 cafés and 5000 pubs, the potential for consumers to be served pirate fish in the capital is extremely high²⁶.

Right: UK markets such as Billingsgate are often the end distribution point for illegal fish that are laundered into earlier stages of the supply chain. The EU regulatory and enforcement framework is failing to prevent fish linked to IUU vessels entering Europe. ©EJF

IUU FISH IN EUROPE

Many supermarkets can identify precisely where most – if not all – of their fish is sourced, but other processors, distributors and retailers have ignored the need to trace fisheries products back through the supply chain. As our investigations have shown, it is very likely that fish caught illegally in West Africa are being laundered with legal products and sold in European markets. IUU fish is not only coming from West Africa; in recent years there have been many cases of illegally-caught fish entering the EU market, including species caught by European vessels and within EU waters. Examples include cod from the Baltic and Barents Seas, and swordfish and tuna caught with illegal driftnets in the Mediterranean²⁷. Fish processors, distributors and retailers must take a more responsible role in sourcing sustainable and legally caught seafood, and ensuring a transparent supply chain to ensure consumers avoid buying illegal fish.



Las Palmas: A haven for IUU fishing

4

Las Palmas is an important hub for IUU operators, and serves as a gateway for fish stolen from West African waters to enter into the EU market. ©EJF



Las Palmas de Gran Canaria, located in Spain's Canary Islands, probably serves as the largest point of entry for fish from West Africa coming in to Europe. The port's status as a free economic zone enables it to have favourable customs regulations and lax control over transshipment of goods, which are deemed not to have entered Spain whilst still in the port. Abuse of this status by fisheries companies has resulted in Las Palmas being considered perhaps the most notorious Port of Convenience in Europe, providing services to IUU (and legal) fishing fleets operating off the coast of West Africa, as well as hosting a number of companies that operate IUU vessels.

Las Palmas and its network of seafood distributors serve as a gateway through which illegally-caught fish can also enter the huge European market. Illegal fish is mixed with legal, and fish caught by EU vessels mixed with that from other countries. It seems that once fish has been offloaded in Las Palmas, it can be transported anywhere within the EU without further inspection of its origin or legality. IUU fish are 'laundered' into the legal market, first between legal and illegal fishing vessels, again at sea during transshipment onto reefers (observed in Guinea), and then for a third time in Las Palmas.

Of the 53 vessels EJF documented as engaged in, or linked to, IUU fishing activities, port authority records³⁰ show that 17 visited Las Palmas between January 2003 and December 2006 to unload their catches, make repairs and take on fresh supplies. A further 12 vessels arrested by West African nations for IUU offences over the past three years also appear in the port's records³¹. Some of these IUU vessels are reefers that have entered on multiple occasions, further illustrating the significance of the port in illegal fishing and trade.

“Without a doubt, the Port of Las Palmas continues being an attractive base of services and commercialization for the fishing fleets that work in the African western coast.”

Las Palmas Harbour Report²⁸

“Las Palmas is an important port for the offloading of much fish from West Africa, destined either for the EU market or in transit to other markets. The lack of effective and proper controls on the landing of fish in Las Palmas has been widely documented. [I] saw fish being offloaded from a reefer whose origin was, to say the least, not clear. If the origin of the fish is not clear, its legality cannot be verified with certainty.²⁹”

Marie-Hélène Aubert MEP

Las Palmas currently has only five port inspectors – an increase on previous years, but still far too few to effectively police the approximately 360,000³³ tons of fish passing through the port annually. According to EU Fisheries Commissioner, Joe Borg, *“the situation is not satisfactory as far as the implementation of Spanish legislation is concerned”³⁴... the Commission considers that the number of fisheries inspectors is still not sufficient to cover all activities in those ports, in particular as far as Las Palmas is concerned”³⁵*. Furthermore, Las Palmas port authorities claim that there is no EU legislation governing the entry of IUU fish, and that current law only requires that the captain of a suspect vessel sign a declaration stating that all the fish on board have been legally caught³⁶.

According to the most recently available (2005) Las Palmas harbour report, approximately 360,000 tons of frozen fish were unloaded or transshipped in the port that year³⁷. 60% of the total (210,233 tons) was transferred from one vessel to another, making tracking of any illegal fish amongst this total almost impossible³⁸. About 40% (147,282 tons) was landed; only half of the landings or 20% (70,364 tons) of the total was recorded as official imports³⁹. Only 2% of the total was then officially exported directly to other EU countries⁴⁰, including 78 tons to the UK⁴¹. However, the amount of fish entering the UK directly from Las Palmas appears to be rising: from January to September 2006, officially registered direct exports into the UK reached 226 tons⁴².



Top: Fish being unloaded in Las Palmas ©Greenpeace

Bottom: The Elpis, implicated in IUU fishing operations off Guinea, being unloaded in Las Palmas. ©EJF

Top: Boxes of West African-caught fish with the CNFC logo being unloaded ©Greenpeace/Gleizes

Bottom: Frigoluz – one of the largest fish processing companies in Europe – receiving CNFC fish. ©Greenpeace



In 2005, Las Palmas imported 4,997 tons of shrimp, crabs and crawfish, of which three-quarters (3,785 tons) came from West Africa. Nearly half of the shrimp came from Chinese flagged vessels; 30% came directly from Guinea; the remainder was caught by vessels from South Korea, Mauritania, Ivory Coast, Gabon, Cape Verde, Senegal and The Gambia⁴³. Of the 70,364 tons of fish officially imported into Las Palmas, more than 56,000 tons (81%) were either direct imports from West African countries, or were imports from foreign vessels that are fishing both legally and illegally in West African waters⁴⁴. The countries of origin of these fish include Mauritania, Morocco, Senegal, Gabon, Ivory Coast, Cape Verde, Guinea, Ghana and The Gambia.

EU, Chinese, Taiwanese, South Korean and Japanese fishing vessels and reefers are all recorded as unloading significant amounts of West African fish in Las Palmas⁴⁵. Notably, the boxes are labelled with the vessel's country of origin rather than the country where it was caught (although the FAO Fishing Area where the vessel was operating should be provided). While it is certainly true that some of these vessels are licenced to fish in the territorial waters of certain West African nations, such as Guinea, our investigations have shown that there are many more vessels that are illegal.

At the time of writing, the European Commission has launched an infringement procedure against Spain concerning insufficient fisheries controls in the country's ports⁴⁶. Although a welcome step, similar proceedings taken in 2003 produced no noticeable effect.

ONE BOAT: FOUR IDENTITIES

The difficulties in policing the entry of IUU fish into Las Palmas, and enforcing penalties against wrongdoers, are witnessed by a recent investigation by Marie-Hélène Aubert, French MEP and Rapporteur for the Draft Report on the EU action plan against IUU fishing⁴⁷. She reports that a refrigerated reefer was in Las Palmas harbour with the name *Lian Run* painted on the bows (a number of *Lian Run* vessels are active off Guinea); embossed behind the painted name *Lian Run* was another, the *Sierra Grana*. The port authorities had no record of a vessel under either name and claimed the vessel was called the *Lian Run 21*, even though this name did not appear in the port database either. A later search of the vessel's displayed International Maritime Organisation (IMO) number gave a fourth name, the *Timanfaya*⁴⁸.

The ship was flying the flag of Panama, a Flag of Convenience (FoC) country known for not requiring its vessels to abide by international fisheries laws and regulations. The vessel was unloading fish that had been caught by 15 different vessels⁴⁹, among them some that EJF had observed fishing illegally six

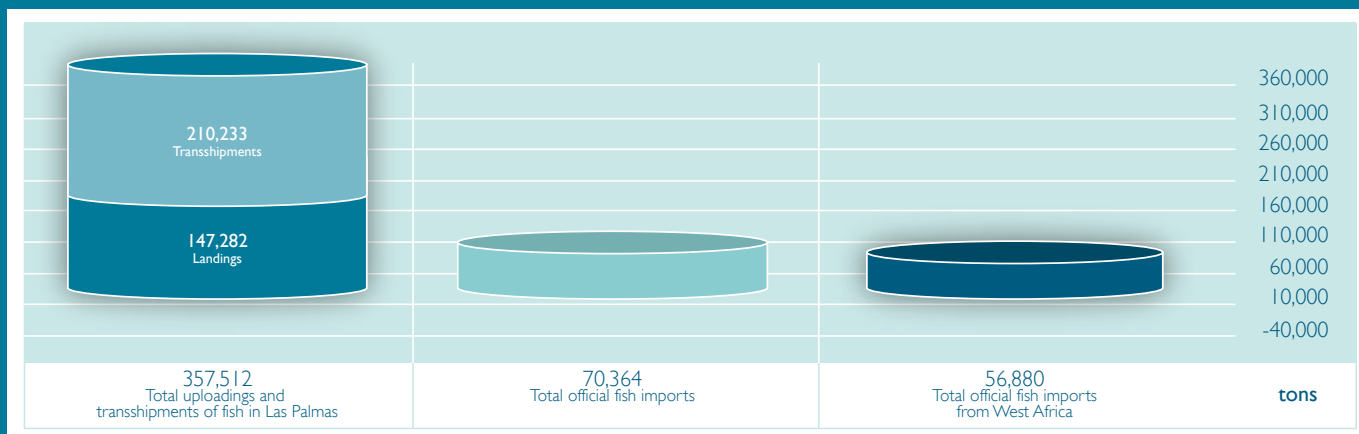
months previously. The captain presented the MEP delegation with a declaration saying the fish had been caught in Guinea; however, the delegation included a Guinean Fisheries inspector, Mamayawa Sandouno, who claimed that she knew nothing of the *Lian Run*.

When asked to clarify, the situation Spanish Fisheries Ministry replied that "In relation to the identification of fish boxes, I must remind you that there is no regulation that establishes the marking or labelling of fish boxes before first sale, and it's not even mandatory that fish be transported packed in boxes. However, it is usual that, when they are not used, the boxes are marked with the fishing vessels name, although some may lack the name or it can be partially legible. In any case, consignments are usually unloaded and stored grouped by vessels of origin, which facilitates the control activities"⁵⁰.

Below: Several Lian Run vessels are active off the coast of Guinea, where they engage in a variety of IUU fishing activities. In particular illegal Lian Run vessels will often fish and pack their catches under the name of a legal Lian Run boat. These fish are then illegally transhipped to reefers such as the vessel observed by Marie-Helene Aubert MEP in Las Palmas, where they are unloaded and disappear into the European market. ©EJF



FROZEN FISH TRANSSHIPMENTS, LANDINGS AND IMPORTS INTO LAS PALMAS 2005



Source - Puertos de Las Palmas (2006) Memoria Anual 2005.

LEGAL STATUS OF LAS PALMAS

The Canary Islands form an “Autonomous Community” within the Kingdom of Spain. The islands have their own Government, Parliament and Administration, established by the Statute of Autonomy of the Canary Islands. However, as a part of Spain, the Canaries are also part of the European Union.

As part of the autonomy agreement, the Canarian fiscal and economic system includes special tax regimes within the Canary Islands Special Zone. Las Palmas also has special status as the Gran Canaria Free Zone (Zona Franca).

Companies located within Gran Canaria Free Zone⁵¹ have fiscal and customs advantages, including:

- Exemption from import duty for the merchandise entering the zone.
- Exemption in fulfilling the customs procedures needed to move merchandise up to the company’s warehouses. Warehousing of goods with no time limits.
- Free destination for goods.
- Exemption in fulfilling the customs procedures in goods leaving the enclosure towards a third country.
- Exemption in indirect duty payments for processes of goods adaptation such as labelling, packaging and canning, before coming out of the enclosure.
- Possibility of having recourse to the fiscal advantages of the Canary Islands Special Zone.
- Possibility of entering into the local market of the Canary Islands.

The combination of these features highlights exactly why illegal fish from West Africa and elsewhere is entering Europe so easily through Las Palmas. Fisheries companies are able to offload, store and transship fish onwards with little scrutiny. The clauses allowing free destination for goods and entry of goods into the local market of the Canary Islands are particularly significant for the onwards transportation and entry of pirate fish into the wider EU marketplace. Once in the Canary Islands, IUU fish are legally in the EU, can be shipped anywhere, and are subject to few or no further controls.



Flags of Convenience, like that of Panama, provide perfect cover for IUU fishing activities. ©EJF

FLAGS OF CONVENIENCE (FoC)

Flags of Convenience (FoC) – described by Franz Fischler, former EU Commissioner for Fisheries, as **“the scourge of today’s maritime world”** – represent one of the simplest and most common ways in which unscrupulous fishing operations can circumvent management and conservation measures and avoid penalties for IUU fishing. Under international law, the country whose flag a vessel flies is responsible for controlling its activities. However, certain countries allow any vessel, regardless of nationality, to fly their flag for a few hundred dollars, and then ignore any offences committed. Unscrupulous ship-owners have long used FoC to evade regulations such as tax rules and safety standards. As fishing fleets have expanded and marine resources plummeted, FoC have increasingly been used as a means of avoiding measures taken by countries or regional fisheries organisations to manage fisheries and conserve stocks. Notorious FoC states include Panama, Honduras^{52, 53}, and most recently the landlocked nation of Mongolia.

FoC registration greatly reduces operating costs for vessel owners. They do not have to pay for licences, and vessel monitoring systems⁵⁴, and can avoid regulations and laws requiring insurance, training of crew, and the purchase of safety equipment. Crew members employed on FoC vessels are often subject to abuses, including very low wages, poor conditions, and inadequate food and water⁵⁵. FoC are notoriously easy, quick, and cheap to acquire, and can be obtained over the Internet (for example, see <http://www.flagsofconvenience.com>). IUU vessels can therefore re-flag and change names several times in a season to confuse management and surveillance authorities, a practice known as “flag hopping”⁵⁶. Backed by shell companies, joint-ventures and hidden owners, FoC severely constrain efforts to combat IUU fishing, as they make it extremely difficult to locate and penalise the real owners of vessels that fish illegally^{57, 58}.

Closing the loophole in international law that allows States to issue Flags of Convenience would be the single most effective step in eradicating IUU fishing^{59, 60}, yet up to now, all attempts to eliminate the FoC system have been unsuccessful and FoC vessels have proliferated over the past 20 years⁶¹. Until the loophole is closed a series of secondary measures will be necessary in order to prevent, deter and eliminate IUU fishing^{62, 63}.



B

A: Fish are caught by foreign flagged vessels off the West African coast. Many of these vessels do not have a licence to fish in the area. Many use nets with a mesh size much smaller than that allowed. ©EJF

B: Bycatch aboard the CNFC 24. A large proportion of the catch is bycatch, which is lost to the marine ecosystem and the local fishermen who rely on it. ©Greenpeace/Gleizes

C: Many vessels have extremely unsanitary handling and storage facilities, despite supposedly meeting strict EU hygiene standards. ©EJF

D: IUU vessels often enter into the 12-mile zone reserved for artisanal fishermen. ©EJF

E: Shrimp is a main target for illegal fisheries. Tropical shrimp trawl fisheries are the most unselective and wasteful fisheries in the world, with the highest discard rate of any fishery, and bycatch to shrimp ratios averaging 10:1. ©EJF



E



A



D



C



I



K



J

1

3



H



G



F

2



I

F: Many vessels deliberately hide name and identification numbers ©Greenpeace/Gleizes

G&H: Unlicensed vessels often try to pass themselves off as licensed vessels owned by the same company - in this case the top vessel, the Lian Run 24, did have a licence to fish off Guinea. The bottom vessel was first observed as the Lian Run 13. A few days later the 13 had been rubbed out, and Lian Run 24 painted on the bridge. ©EJF

I: Once on board illegal vessels will often package fish under a legal boat's name. Legal vessels supply illegal vessels with boxes stamped with the vessels name, at sea and away from scrutiny. ©EJF

This is the first stage in a laundering process that extends right to the end market.

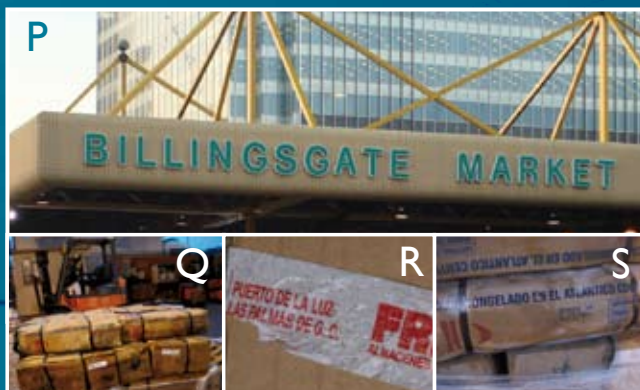
I&J: Pirate fishing vessels illegally transship their catches to refrigerated reefers. These ships ply back and forth between Las Palmas and the coast of Guinea, taking pirate fish in one direction and bringing fuel and supplies in the other. In this way the IUU fishing vessels can stay at sea for long periods of time, sometimes for years. Both ©EJF



K&L: CNFC 24 and Jui Yuan 812 illegally transshipping fish off the coast of Guinea. Fish from both these vessels have been found in the UK marketplace by EJF investigators. Both ©Greenpeace/Gleizes



At this point the IUU fish go through the second stage of the laundering process, as legal and illegal catches are mixed together.



5

P: Now completely laundered into the legitimate market, and almost impossible to trace, IUU fish is transported to be sold throughout Europe. Fish will end up in locations such as the UK's Billingsgate Market and sold on to an unsuspecting public, both victims of an EU regulatory and enforcement framework that is clearly failing to prevent IUU fish entering Europe. ©EJF

Q, R & S: Boxes of possible IUU fish in the UK marketplace. ©EJF

4

6



T: Through a supply chain leading from IUU fishing vessels in West Africa via Las Palmas to our restaurants and homes, pirate fish is likely ending up on our plates. Clearly under current conditions consumer safety for the European public as well as the legality of the fish they eat is in no way guaranteed. It is clear that unless the international community act collectively to address the situation, the human suffering and environmental injustice created by IUU fishing will continue ©EJF.

M: Las Palmas is perhaps the most notorious 'Port of Convenience' in the world. With only 5 inspectors for the whole port, many cargos of fish are never inspected. As well as serving as a 'soft' entry point for IUU caught fish, Las Palmas also provides all the logistics needed to maintain the IUU fishing fleets ©EJF

N&O: Once the reefers reach Las Palmas, the IUU caught fish is unloaded at the facilities of large companies such as Spain's Frigoluz. Current EU regulations only require the captain of a vessel to sign a declaration stating that all fish on board has been caught legally. **N:** ©EJF, **O:** ©Greenpeace

The IUU fish is now laundered a third time, as catches from multiple vessels from both EU and third-party countries are mixed together. This fish is now on Spanish territory, however most of it is not 'imported' due to the port's status as a free economic zone.

5

The problem of transshipments

Fishing vessels can transfer their catch at sea to specialised transport vessels (reefers) – a practice known as ‘transshipment’. Fishing vessels can also refuel, receive supplies and maintenance, and even rotate their crews at sea, thereby rarely having to return to port. Transshipment is particularly prevalent in areas where surveillance is weak, and can be used as a means to launder IUU catch by mixing it with legal fish aboard reefers.

Of the 17 IUU vessels spotted in Guinea that appear in the Las Palmas port authority records, the two most frequent visitors are both reefers:

1. Elpis

On the 2nd of April 2006, the refrigerated cargo vessel **Elpis** was spotted in the waters of Sierra Leone receiving boxes of fish from three fishing boats. Two of the vessels were authorised to fish in Guinean waters (although one of them, the **Sakoba I**, was later spotted fishing illegally in the coastal zone reserved for artisanal fishing), but Guinean fisheries legislation requires fish to be landed or transshipped in the port of Conakry – a rule they were clearly breaking. The third vessel, did not possess a licence to fish.

Subsequent investigations in Las Palmas, observed the **Elpis** unloading boxes of frozen fish featuring names of several IUU vessels observed in Guinea:

- **Lian Run 1** – unlicensed vessel observed transshipping to **Chang Hai 3** on 24 March 2006
- **Lian Run 13** – spotted fishing without a licence on March 28 and April 4 2006; arrested in Guinea in March 2005 for fishing without a licence (see EJF report ‘Party to the Plunder’)
- **Lian Run 14** – arrested by the Guinean authorities on 28 March 2006 for fishing without a licence
- **Lian Run 24** – spotted illegally transshipping fish to **Binar 4** on 6 April 2006
- **Ocean 7** – spotted in Guinean waters in 2006, without a licence, using the pseudonym **Zenab 3**; arrested in Guinea in 2005 also under this name (see EJF report ‘Party to the Plunder’).

The Port Authority records show that the **Elpis** has been a regular visitor to Las Palmas, making 18 stops since January 2003⁶⁴.



Left: The **Binar 4**, illegally transshipping fish off the coast of Guinea ©Greenpeace/Gleizes
Right: Fleeing from Guinean waters towards Las Palmas with its illicit cargo, the **Binar 4** is branded a pirate. EJF/Greenpeace findings were forwarded onto the Las Palmas fishing authorities. ©EJF

2. Binar 4

Spotted on April 6, 2006 in international waters just beyond the Guinean EEZ, the **Binar 4** was in the process of receiving fish from two boats the **Lian Run 24** and **Lian Run 27** – whilst a further two fishing vessels – **Lian Run 28** and **Lian Run 29** – were nearby waiting to transship.

All four **Lian Run** boats were licenced to fish in Guinean waters – indeed we had sighted and documented three of the four fishing in previous weeks – but again, transshipment is prohibited under Guinean law except in the vicinity of Conakry.

When the vessels registered our presence, they separated – the **Binar 4** fled north towards Las Palmas, while the fishing vessels headed in the direction of the Guinean fishing grounds. EJF and Greenpeace, aboard the *Esperanza*, followed the reefer, forwarding on our findings to the Spanish authorities.

The **Binar 4** has visited Las Palmas on at least 11 occasions since January 2003⁶⁵.



6 The Impacts of IUU fishing in Guinea



Top left: Marine fishing provides 70,000 direct and indirect jobs in Guinea. Yet Guinea is estimated to be losing \$110 million every year to IUU fishing, posing a serious threat to a population dependent on fish stocks for food and livelihoods. ©EJF

Top right: IUU fishing inflicts damage on seabirds, marine mammals, sea turtles and marine biodiversity as a whole. ©Greenpeace

Bottom: Almany Camara was wounded when his canoe was rammed by a trawler illegally fishing within the 12-mile zone reserved for artisanal fishers. His three fellow fishermen drowned. ©EJF

In 2004 and 2005, EJF conducted field investigations and interviews with communities and enforcement authorities in Guinea, one of the world's poorest nations. Lacking the resources to effectively patrol its territorial waters and enforce its fisheries laws, Guinea is estimated to be the country most impacted by pirate fishing in Africa. The country provides a very clear example of the impacts of IUU fishing on the region, including severe consequences for the marine environment, fishing communities, food security, and the country's overall development. The results of EJF's investigation in Guinea can be found in the report *'Party to the Plunder'*.

In 2006, EJF, together with Greenpeace International, documented 104 foreign-flagged vessels operating in Guinean national waters. Over half of these – 53 boats flagged to South Korea, China, Italy, Liberia and Belize – were either directly engaged in or were linked to IUU fishing activities. Thirteen were fishing without a licence; another 31 were involved in other IUU activities such as illegally transshipping (transferring their catches to freezer vessels at sea); and nine were observed fishing while deliberately hiding their names and identities.

Fishing is a crucial economic and social activity in Guinea. Marine fishing provides 70,000 direct and indirect jobs – of which 10,000 are fishermen – and is primarily carried out by the artisanal sector. It contributes to food security and the survival of coastal communities, and specifically benefits women who process the fish. Catches are mainly of small pelagic species taken by artisanal fishermen to supply both the local fresh fish markets and fish smokers⁶⁶.

Fish constitutes an invaluable protein source for the local population. Despite possessing a wealth of marine resources, there are insufficient supplies to meet the needs of the Guinean population. In a recent report for the UK's Department for International Development (DfID), it



is estimated that the annual loss due to IUU fishing in the Guinean EEZ is around US\$110 million, the worst in Africa⁶⁷. The report also estimated that Guinea loses in excess of 34,000 tons of fish every year to illegal fishing, including around 10,000 tons of 'discards' – the unwanted portion of the catch thrown overboard, usually dead or dying.

With Guinea's annual commercial catch estimated at 54,000 tons, the IUU catch represents a further 63% over and above these legal recorded catches⁶⁸.

Among the most common infractions are incursions by trawlers into the zone reserved for artisanal fishermen, which tend to occur at night, regularly causing fishermen to lose their fishing gear and canoes, and has even resulted in the loss of lives.

There is an absence of reliable catch data for Guinean waters, but catch rates for many species are reportedly decreasing and in many cases only juveniles are being caught⁶⁹. Matters are complicated by the fact that many boats, both licenced and unlicensed, use fishing gear or practices that are highly damaging to the marine environment or are illegal. Common infractions in Guinean waters include the use of trawl nets with mesh smaller than the permitted size, destructive bottom trawling, and fishing within the 12-mile coastal zone demarked by the authorities exclusively for artisanal fishing, and which also contains vitally important spawning and nursery grounds for marine species.

The pirate industrial trawlers that intrude into Guinea's coastal zone target shrimp, cephalopods and demersal fish. These types fisheries have been estimated to be responsible for up to 50% of total global discards, whilst accounting for only 22% of total landings⁷⁰. In fact, tropical shrimp trawl fisheries are the most unselective and wasteful fisheries in the world, with the highest discard rate of any fishery, and bycatch-to-shrimp ratios averaging 10:1; in other words, 10kg of bycatch is caught to secure 1kg of shrimp⁷¹. Furthermore, trawling removes vast numbers of juvenile fish needed to sustain fish stocks and, by dragging heavy nets along the seabed, habitats that support marine life are damaged. In heavily trawled areas, habitats have little chance to recover and in some cases, may be permanently damaged⁷².

Marine resources in Guinea and the wider region are clearly in a perilous state. IUU fishing is responsible for further exacerbating the effects of decades of mismanagement and overexploitation by foreign and domestic fleets, and preventing the sustainable management of the fishery. Unless action is taken to control the rampant IUU fishing occurring in the coastal waters of Guinea and other West African states, we will witness the collapse of one of the world's most productive marine fisheries, and with it, catastrophic impacts on local populations. It is precisely for these reasons that IUU fishing is regarded by the international community as such a serious threat to the sustainability of world fisheries.



7

Dirty fish on your plate The links between IUU fishing, fish hygiene, and your health

Vessels that fish illegally do so to minimise the costs associated with legal fishing methods, and are often at sea for years, thousands of miles away from their home countries. Lack of official licences, no safety equipment, and appalling crew conditions have all been documented aboard vessels conducting IUU fishing activities⁷³. Cost-cutting extends to the handling of the catch and on-board storage facilities. It is unlikely that these vessels are ever subject to health inspections. In addition to the illegal activities, during the course of our investigation, EJF documented extremely unsafe hygiene conditions compromising the health and safety of European consumers.

Under Council Decision 95/408/EC of 22 June 1995, third-party countries wishing to export fish to the EU must be mentioned on lists, while each individual vessel needs an approval number, designated by the Food and Veterinary office of the EU Directorate-General of Health and Consumer Protection, known as DG SANCO⁷⁴. However, EU officials do not carry out inspections and establish whether a processing plant or vessel meets the required EU hygiene standards; rather, it is the designated authority of the third-party country⁷⁵.

The problems associated with this system are highlighted by DG SANCO's 2005 Annual Report⁷⁶. The DG conducted 17 missions to third-party countries; *none* of which complied with all relevant conditions for exporting fishery products to the EU⁷⁷. Clearly under these conditions, consumer safety for the European public, as well as the legality of the fish they eat, is in no way guaranteed.

Of the 53 foreign flagged vessels EJF documented as engaged in, or linked to, IUU fishing activities in Guinean national waters, 70% (37) carried DG SANCO numbers. As part of the investigation, EJF and Greenpeace provided logistical support to Guinean fishing authorities, leading to the arrest and impoundment of the trawler Lian Run 14 for fishing without a licence. At that time, Lian Run 14 carried the DG SANCO number 210/02791; significantly, the recently updated DG SANCO list shows that this vessel still carries this number⁷⁸, and therefore, despite its officially recorded involvement in IUU fishing, can continue to supply European consumers with stolen fish.

Many of the IUU vessels that do not hold DG SANCO numbers are owned by companies that own other vessels that do carry this licence. Given the occurrence of illegal transshipping of fish between vessels, as well as the repackaging of fish products on IUU vessels into boxes stamped with the name of a legal boat, this is significant. In some cases, more than one vessel purported to be a single ship with legal licensing and a DG SANCO number.

Many of the vessels seen off Guinea were flagged to China, with the corresponding DG SANCO numbers and responsibilities assigned to this country. DG SANCO releases frequent 'Rapid Alerts' notifying the EU public of countries that have failed to comply with health conditions for fishery products. In the period from January to June 2007, not only did China appear on these lists every month, barely a week passed without health warnings being made public about various Chinese fisheries products⁷⁹.

Top: Bycatch aboard the CNFC 24. Up to 50% of catches taken by IUU vessels is shovelled back over the side, dying or dead. Despite holding a DG SANCO number designating the vessel as having met strict EU hygiene standards, very unsanitary handling and storage conditions were observed on board. ©Greenpeace/Gleizes

Bottom 3: During our investigation into the extent and impact of IUU fishing off Guinea EJF documented 37 vessels engaged in or with a history of IUU fishing that are authorised to import fish to the EU under DG SANCO's strict hygiene regulations. Yet IUU vessels often fish illegally to cut the costs of legal methods, including safe handling and storage facilities, and we observed many cases of extremely unsafe and unhygienic conditions on these boats. All images ©EJF

8

Case Study

China National Fisheries Corp. (CNFC)



Left: The CNFC 24 approaching the reefer Hai Feng 830 to illegally transship fish in Guinean waters.
©Greenpeace/Gleizes

Right: Boxes of fish clearly displaying the CNFC logo in Billingsgate Market in the UK. Amongst these are boxes from the CNFC 24 (see page 6). ©EJF

Below: CNFC logo.

Several of the boxes observed in the UK were marked with the 'CNFC' logo and label. While many companies and countries are actively involved in IUU fishing, a few dominate the West African fishery. Among them is the state-owned China National Fisheries (Group) Corp. (CNFC), the largest fishery enterprise in China. Globally 220 CNFC fishing vessels operate in the Pacific, Indian and Atlantic Oceans, with an annual yield of nearly 100,000 tons of fish products⁸⁰. Some of these vessels are registered in countries that grant Flags of Convenience (FoC), such as Togo, Belize, St. Vincent and Panama⁸¹.

CNFC has built up a fleet of 115 vessels (both chartered and owned) in West Africa, along with cold storage and terminal facilities⁸². In 2005, it was reported that CNFC was processing 50,000 tons of fish a year through its facilities in Las Palmas⁸³. Many of the fishing and reefer vessels observed during EJF's investigation off the coast of Guinea are owned and operated by CNFC, and boxes of frozen fish with the distinct CNFC logo have been recorded in West Africa, Las Palmas, and the UK.

Of the vessels EJF observed in 2006, CNFC had acquired licences for CNFC 21, 22, 23, 24, 9310, and 9311 to fish legally off Guinea⁸⁴. Licenced vessels CNFC 21, 22 and 24 were seen engaging in IUU activities, as were several other unlicensed ships thought to be owned by the company. These included the fishing vessels Yan Yu 703, Yuan Yu 16 and 17, and the reefers Hai Feng 823, 829, and 830. IUU activities documented included the illegal transshipping of fish between vessels; the repackaging of fish products on IUU vessels; and the off-loading of illegally-caught fish at Las Palmas.

As owner of CNFC, the Chinese Government has a responsibility to control the company's IUU fishing activities. China has one of the largest fishing fleets in the world, and is an enormous and fast-growing market for fish products. Chinese-owned fleets have been accused of IUU fishing not only in Guinea but in developing nations worldwide. In the first few months of 2007 alone the global media has reported on Chinese fishing vessels engaged in pirate fishing in countries as diverse as Argentina⁸⁵, Ghana⁸⁶ and Pakistan⁸⁷. The Chinese Government must take responsibility for its actions, and eradicate IUU fishing activities in its fleets, while taking steps to discourage IUU fish from entering its own markets.

The EU is culpable in CNFC's activities in a number of ways. Not only does Las Palmas serve as a 'soft' entry point for CNFC-caught IUU fish into the EU marketplace, the port also provides all the logistical services needed by CNFC's offshore fishing fleet. Many CNFC vessels have been provided with approval numbers to import fish into the EU by the Food and Veterinary office of the EU Directorate-General of Health and Consumer Protection (DG SANCO). Some of these vessels remain on the DG SANCO list despite having been placed on Regional Fishery Management Organisation (RFMO) blacklists, meaning that they are still able to import possible IUU fish into the EU. Europe has also provided CNFC with its three large-scale factory trawlers, while Spain and Denmark furnished the equipment for the company's net-making⁸⁸.

9

Conclusions

Although it is impossible to identify an individual consignment of seafood and categorically state that it contains fish that has been caught illegally, the body of evidence highlights that European demand for cheap and exotic seafood is driving illegal, unreported and unregulated (IUU) fishing internationally. This report underlines just how easily IUU fishing vessels are able to access this growing marketplace, supplying fish whose provenance and legality cannot be determined due to the opacity of the supply chain.

Illegally-caught fish and other seafood species are being laundered into the marketplace through a complex process that involves mixing legal and illegal catches at sea or on shore where they are not subject to any inspection or oversight. Consumers, traders and retailers in Europe therefore lack the information and guarantees needed to ensure that the seafood they buy and sell is legal. For consumers, the risks posed by unhygienic processing and storage conditions onboard vessels is a further issue that demands remedy and action.

Port authorities in Las Palmas lack the resources or will to ensure that the fish offloaded into their port have been caught by legal means, and inaction means that this port of convenience continues to provide services and support to IUU fishing fleets. Las Palmas provides an entry to the marketplace for pirate fishing vessels, including those flying flags of convenience (FoC) and using multiple identities, and is benefiting from the illegal trade that is stealing from some of the world's poorest countries such as Guinea.

Support for, and cooperation with, enforcement efforts by under-resourced government agencies in Africa must be complemented by action in Europe that will ensure that fish stolen from their waters cannot be sold onto the European marketplace. Far greater action must be taken to remove the incentives for pirate fishing fleets to squander marine life and undermine the livelihoods of coastal communities.

It is clear that unless the international community – political decision makers, businesses and consumers – act collectively to address the situation, the human suffering and environmental degradation created by IUU fishing will continue.



The EU is one of the three largest fishing 'powers' in the world. Collectively it is the largest global importer of fish⁸⁹, while the EU fishing fleet of over 88,000 vessels⁹⁰ and its related activities extend around the globe⁹¹. The EU therefore has both an opportunity and a responsibility to play a vital role in eradicating IUU fishing. Its example will be particularly important if other major fishing powers, such as China, are to be engaged in efforts to combat pirate fishing.

EJF strongly supports the EU's current moves to combat the trade in IUU fish, such as the Draft Report 2006/2225(INI) on the implementation of the EU plan of action against illegal, unreported and unregulated fishing⁹² (adopted by the European Parliament in February 2007), which highlighted the need for multiple, cooperative and comprehensive strategies⁹³. It also welcomes the recent announcement by the European Fisheries Commission that it will launch its initiative against IUU fishing activities in October 2007. It is vital that this initiative gives **rapid and comprehensive effect to the 2002 EU Community Action Plan on IUU fishing**.

Recommendations

10

The implementation and enforcement of a suite of inter-related measures are required to stop pirate fish entering the EU, and to eradicate IUU fishing. EJF contends that failure to adopt the measures highlighted below will result in a rapidly deteriorating situation, including declines in commercial catches, marine biodiversity and impoverished livelihoods in some of the world's poorest nations. It is also clear that these steps are vital to protect the European public from potential health impacts, and from unwittingly contributing to the devastating impacts of IUU fishing.

I. CLOSURE OF PORTS OF CONVENIENCE – LAS PALMAS

"Surveillance on the dock is important, we need to shut out illegal fishers in ports, where they stop to refuel, take on supplies, make repairs or off-load their catches in what are now more commonly known as 'ports of convenience'....As IUU fishers have less and less access to port services – and to the markets reached through ports – profits will drop, and the incentive to perpetuate illegal activity starts to disappear. We need to hit IUU fishers in the pockets and this is one of the more effective means of doing that." Judith Swan, FAO Fisheries Department⁹⁴.

The EU and its member states must close their ports to vessels engaged in IUU fishing as well as to vessels transporting illegal catches, or their support vessels. EJF acknowledges that Las Palmas is not the only European port with culpability in the IUU fish trade, and it is therefore essential that all European harbours enforce anti-IUU fishing measures.

To this end, the EU should:

- Review and strengthen the basis upon which port authorities can undertake investigations into fishing vessels docking and offloading fish into their harbour. Authorities should be empowered to undertake greater oversight of fish catches, and have greater access to information that will determine their provenance and legality.
- Adopt legally binding measures as provided for in the FAO model scheme for port control, and ensure that sanctions can be brought against port states for failure to control their ports with regard to IUU activities.
- Use the West Africa Regional Surveillance Operations Co-ordination Unit (SOCU) database of IUU vessels to deny them access to Las Palmas and other EU ports. Access to EU ports should be restricted to vessels that have demonstrated themselves to be fishing in a responsible manner, in compliance with conservation and management measures and legislation. Such 'white lists' put the burden of proof on the vessel operators, thereby helping to reduce costs of monitoring efforts.

- Support the development and implementation of the proposed UN international agreement⁹⁵ establishing control measures in ports where fish is landed, transshipped or processed.

2. VESSEL BLACK LISTS

The EU should:

- Strengthen its technical and financial support of RFMOs, giving them the capacity to more effectively control their own waters. In particular, the EU should promote the creation of a publicly available 'black list' of vessels involved in IUU fishing in West Africa, which can be used to expose unscrupulous operators and deny them fishing licences and access to port facilities.
- Take action to prevent any vessel that appears on a black list from being able to supply Europe with fish by giving DG SANCO the authority to remove it from their list of authorised vessels. This simple, inexpensive and potentially effective strategy has been recognised as such by the Committee on Fisheries draft report 2006/2225(INI)⁹⁶. For companies that own multiple vessels, increased scrutiny once a history of IUU fishing amongst individual ships within their fleet has been established would act as a further deterrent to IUU fishing activities.

3. VESSEL IDENTIFICATION

The EU should support moves towards regional and global databases that provide greater transparency in the identification of fishing vessels, and information on **current and previous vessel names and flags, owners and beneficial owners, country of ownership, call sign, tonnage etc.**

4. COMPULSORY VESSEL MARKINGS

The EU should enforce FAO guidelines and require that all vessels entering ports clearly display their name.



5. FLAGS OF CONVENIENCE (FoC)

- **International pressure should be brought to bear on FoC States to ensure greater compliance with the needs and obligations of international maritime law.** FoC states should be persuaded to stop issuing FoC; join relevant RFMOs; sign up to international fishing agreements (1982 UN Convention, 1993 FAO Compliance Agreement, 1995 UN Fish stocks agreement); and fulfil their obligations as responsible flag and port States.
- **A responsible Flag State, or a group of States that are parties to an RFMO, should initiate legal action to seek compensation for the costs incurred from FoC (i.e. IUU) fishing,** by taking a FoC State to the International Tribunal for the Law of the Sea (ITLOS) under the compulsory dispute-settlement provisions of the United Nations Convention on the Law of the Sea (UNCLOS). If such a test case proved successful, FoC States would be faced with the prospect of paying substantial sums in compensation to other States for their failure to regulate their fishing fleets, thereby constituting a significant and cost-effective deterrent to IUU fishing^{97, 98}.

6. SANCTIONS AND PENALTIES

The FAO International Plan of Action (IPOA) on IUU fishing calls for sanctions to be of "sufficient severity to effectively prevent, deter and eliminate IUU fishing and to deprive offenders of the benefits accruing from such fishing". **The EU must impose severe fines on vessels and companies caught engaging in IUU fishing, and keep the offending vessels in port until the fine is paid in full. These sanctions should be harmonised throughout the EU.**

7. CONTROL OF NATIONALS

The EU should prevent the re-flagging and use of FoC by European individuals and companies; and prevent European nationals, in particular captains, from engaging in IUU fishing activities on foreign flagged vessels.

Left: EU support for and cooperation with the relevant fisheries authorities and regional fishery management organisations (RFMOs) in developing countries is vital. Local fishers and communities must be involved in the planning and decision making for the sustainable management of local marine resources. If fisheries are not made sustainable these communities will be the most severely impacted, particularly the poorest. ©Kate Eshelby

Centre: The EU and its member states must close their ports to vessels engaged in IUU fishing as well as vessels transporting their illegal catches, or their support vessels. ©Greenpeace

Right: Governments, fish processors, distributors and retailers must take a more responsible role in sourcing sustainable and legal seafood and ensuring a transparent supply chain if consumers are to be able to avoid buying illegal fish. Clearly much more needs to be done to prevent fish caught illegally from entering the EU if we are to eradicate the illegal trade that is decimating marine environments and livelihoods in West Africa. ©Simon Wheeler

8. MARKET AND TRADE-RELATED MEASURES

The EU should:

- Ensure full traceability of fish and fish products entering the European market. Measures to ensure that fish cannot be repackaged and mixed with catches from several boats should be investigated as a possible means to keep IUU fish from the marketplace.
- Impose multilaterally agreed import bans on fish and fish products from countries whose vessels operate in contravention of relevant conservation and management measures.

9. TRANSSHIPPING AT SEA

The EU should apply sanctions such as denial of port access for vessels that transship at sea in breach of local laws.

10. INFORMATION EXCHANGE

The EU should support full and timely exchange of information among all port States, coastal States, flag States and regional fisheries bodies in the West African region. In addition to the International Commission for the Conservation of Atlantic Tunas (ICCAT), cooperation should be extended to Fisheries Committees for the Eastern Central Atlantic (CECAF) and the Sub-Regional Fisheries Commission (SRFC) for West Africa and its Surveillance Operations Coordination Unit (SOCU).

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VESSELS OBSERVED IN GUINEAN WATERS BY EJF AND GREENPEACE

NAME	TYPE	LIC	IUU	LP	UK	LLOYDS	FLAG	CALL SIGN	IMO No	OWNERS	DG SANCO	OBSERVATIONS/ILLEGAL ACTIVITIES
Belle Sol 07		●					S. Korea	HQSX5				Together with Medra on 27/03/06.
Binar 4	RF		●	●			Panama		8831431			
Boulbinet 2		●					Guinea	V3YV4				
Boulbinet 7		●					Leonais	V3YP5				
Chang Hai 3	RF	●	●			●	China					
CNFC 21	BT	●	●			●	China	BBRE			3700/20040	Transshipping to Hai Feng 829 on 27/03/06.
CNFC 22	BT	●	●			●	China	BBRF			3700/20041	Transshipping to Hai Feng 823 on 16/03/06
CNFC 23	BT	●				●	China	BBRG			3700/20042	
CNFC 24	BT	●	●	●	●	●	China	BBRH			3700/20043	Transshipping to Hai Feng 830 on 17/03/06. Observed in Guinea by GP/EJF on 17/03/06 tansshipping to Hai Feng 830 Boxes from this vessel observed in LP tranfering from Frigoluz to Freiremar on 10/03/06.
CNFC 9310	BT	●	●			●	China	BBGX			3700/20010	Seen fishing in prohibited zone off Gambia 10.10.00. Transshipping to Hai Feng 823 on 16/03/06
CNFC 9311	BT	●	●			●	China	BBGY			3700/20026	Arrested in Guinea 20/10/04 no coords mesh violation
Eleni S	BT	●	●			●	S. Korea/ Malta	9H31386				Arrested in Guinea on 4/2/05 for unauthorised fishing
Elpis	RF		●	●		●	Belize	V3UW5				Fined and deregistered by Belize 01/06/2006
Guo Ji 805	BT	●				●	China	BASS	412201910			
Guo Ji 806	BT	●	●			●	China	BAST	412207920			Arrested in Guinea 2005, no detail. Also known as Taising 806
Hai Feng 823	RF		●	●			China	3FZ09	8863496	CNFC		
Hai Feng 829	RF		●				China	BCGM	7379400	CNFC		
Hai Feng 830	RF		●				China	BSST	7379412	CNFC		
Itti I	BT	●				●	Senegal	6WBC		Itti Atlantic	078/AJ/95	
Itti 2	BT					●	Senegal	GWBD		Itti Atlantic	079/AJ/95	
Itti Guinee I	BT	●	●			●	Guinea	IYXT		Ittiguinee Sarl	016/N/MPA/ DNPM	Arrested in Guinea 3/2/05 for no licence
Itti Guinee II	BT	●	●				Guinea	IFOOMV295	8126941	Ittiguinee Sarl	014/N/MPA/ DNPM	Arrested in Guinea 3/2/05 for no licence
Jiu Yuan 811	BT	●				●	China	BKSY2			I200/20014	
Jiu Yuan 812	BT	●	●		●	●	China	BKST2			I200/20037	Transshipping into Hai Feng 830 on 17/03/06. Boxes in Spanish and with the CNFC logo. Arrested by Guinea 03/02/2005 Illegal mesh in the trawl, observed conducting IUU activities by Esperanza, mentioned in EJF report 'Party to the Plunder'. Not on Lloyds Seasearcher
Katan	FF	●		●			Comoros	D6BP2	6929090			In Las Palmas for repairs, June to September 2005
Kim Marine 511	BT		●			●						
Koras No6	BT	●	●			●	S. Korea	GM1111	7410113			Suspected poacher 09/01-12/01 in Sierra Leone. Seen fishing with no licence off Guinea at 09°55'N14°07'W 19/7/0. nets were obscuring the name.
Kum-Woong 106		●		●				DTAB				In Las Palmas in March 2005.
Lian Run 1	BT		●			●	China					
Lian Run 2	BT											
Lian Run 7	BT	●	●			●	China	B2SP7				Arrested in Guinea 19/10/03 10°20'N 15°41'W No licence. Inspector from Guinea on board saying that there were many infractions including mesh size. Unloads onto reefer Chang Hai I which has possibly been arrested in Dakar
Lian Run 9	BT	●				●	China	BZSP3				Waiting for Elpis on 28/03/06.
Lian Run 10	BT		●			●	China					
Lian Run 11	BT	●				●	China	B2SP5				Went along Lian Run 26 on 17/03/06.
Lian Run13	BT		●			●	China					
Lian Run 14	BT		●			●	China				2100/02791	Arrested by Guinean Authorities 28/03/06 for fishing without a licence.
Lian Run 15			●									
Lian Run 16			●									

NAME	TYPE	LIC	IUU	LP	UK	LLOYDS	FLAG	CALL SIGN	IMO No	OWNERS	DG SANCO	OBSERVATIONS/ILLEGAL ACTIVITIES
Lian Run 17	BT	●				●	China	BZSP5			2100/02794	
Lian Run 18	BT	●	●			●	China	BZSN6			2100/02795	Boxes labelled with this name on board Lian Run 14
Lian Run 19	BT	●	●			●	China	BZSN9			2100/02796	Boxes labelled with this name on board Lian Run 14
Lian Run 20	BT	●	●			●	China	BZSN11			2100/02797	Boxes labelled with this name on board Lian Run 14
Lian Run 21	BT	●				●	China	BAOT			2100/02798	Arrested in Guinea 3/2/5 for no licence.
Lian Run 22	BT	●				●	China	BZSN7			2100/02799	Could also be known as Long Way. Long way 22 found fishing illegally in 2000, off coast of Guinea fishing without licence.
Lian Run 23	BT	●				●	China	BZSP5			2100/027800	Steaming to Chang Hai 3
Lian Run 24	BT	●	●			●	China	BZSN5			2100/027801	Transshipping to Binar 4 in international waters or Guinea Bissau waters on 6 April 06.
Lian Run 25	BT	●	●	●		●	China	BZSN6				Transshipping with Elpis on 31/03/06. In January 2005 in Las Palmas.
Lian Run 26	BT	●	●	●		●	China	BZSN9				Arrested in Guinea 3/2/5 for no licence. In January 2005 in Las Palmas
Lian Run 27	BT	●	●	●		●	China	BZSN5				Transshipping to Binar 4 in international waters or Guinea Bissau waters on 6 April 06. In January 2005 in Las Palmas
Lian Run 28	BT	●	●	●		●	China	BZSN7				Waiting for Binar 4 in international waters or Guinea Bissau waters on 6 April 06. In January 2005 in Las Palmas
Lian Run 29	BT	●	●	●		●	China	BZSP5				Taking everything from Zhang Yuan Yu 15, unlicensed on 24/03/06. Transshipping with Elpis on 31/03/06. Waiting for Binar 4 in international waters or Guinea Bissau waters on 6 April 06. In January 2005 in Las Palmas.
Lian Run 30	BT	●	●	●		●	China	BAOT		China Dalian		In January 2005 in Las Palmas. Unloading fish to Chang Hai 3 for Africa
Liao Yu 839	BT	●	●			●	China	HQIC9				Transshipping to Chang Hai 3 on 26/03
Liao Yu 840	BT	●				●	China	HQID3				
Long Way 008	BT		●			●	China		8934427			
Long Way 009	BT	●				●	China	V3ZD6				
Long Way 010	BT	●	●			●	China	V3ZCT				Vessel found fishing illegally in 2000, off coast of Guinea. No licence or expired licence. Transshipping to Chai Hai 3 on 24/03.
Luanda			●									
Marcantonio Bragadin	BT		●			●	Senegal	6WE0			132/BT/99	
Medra	BT	●	●	●			Honduras	DTBE3	8837526	Intermisio		Suspected poacher 09/01-12/01 in Sierra Leone. In Las Palmas in Nov 2004 and Feb 2006. Reported as heading for reefer on 2/03/06. With Bellesol 7 on 27/03.
Min Yu 701	BT	●	●			●	China	BBUA			1200/20019	Arrested Guinea 12/12/02 10°15'N 15°22'W mesh size violation. Arrested in Guinea 18/2/5 illegal mesh in trawl
Min Yu 702	BT	●				●	China	BBUB			1200/20042	Waiting for Hai Feng 829 on 27/03/06. Went on board with inspectors and received transshipment document.
Nova Australia	RF		●				Singapore	9VGQ2	8415859	Seatrade		
Oymur	PT	●					Russia	UAIT	8522236	Belomorsk		
Poong Lim 11	BT	●	●	●		●	S. Korea	6MUI		Poonglim Fisheries Co. Ltd	KORF-097	Suspected poacher 09/01-12/01 in Sierra Leone. Vessel found fishing illegally in 2001, off coast of Guinea. No licence or expired licence. In Las Palmas in November 2004
Poong Lim 12	BT	●	●	●		●	S. Korea	6MWA		Poonglim Fisheries Co. Ltd	KORF-095	Vessel found fishing illegally in 2000, off coast of Guinea. No licence or expired licence. In Las Palmas in Sept 2005
Poseidon IV		●	●				Greek	V3YGT				Vessel found fishing illegally in 2000, off coast of Guinea. No licence or expired licence
Sakoba I	BT	●	●	●		●	Leona	9LFZS				When observed on 2/04 transshipping with Elpis in Sierra Leone waters, had an obscured name of Osito 89 and the same call sign visible that Osito had. Osito had been found fishing illegally in 2000, off coast of Guinea for fishing without licence or expired licence. Also observed fishing without a licence in Guinea waters 30/03/00, 19/04/00, 2/6/00. Osito 89 was also in Las Palmas in March 2005. Observed on 3 April only 9 nm from shore.
Salvatore Primo	BT						Italy	IPZP	7938933	Italfish		

NAME	TYPE	LIC	IUU	LP	UK	LLOYDS	FLAG	CALL SIGN	IMO No	OWNERS	DG SANCO	OBSERVATIONS/ILLEGAL ACTIVITIES
Saturnia	BT		●				Senegal		6617726		076/AX/95	
Sonrisa	BT			●			Honduras	HQCA2	7355026	Intermiso		
Tae Wong 608	BT	●	●	●		●	S. Korea	6NGE		Samshin Fisheries Co. Ltd.	KORF-174	Seen off Guinea with expired licence 04/04/02. Vessel found fishing illegally in 2000, off coast of Guinea. No licence or expired licence. In Las Palmas in February 2005
Temenataye	BT	●					Guinea	3XC29/95				
Trebbia	BT		●			●	S. Korea	6WEP	6705755	Italsen	131/BS/99	
Two Star	BT			●		●	S. Korea	6NGA		Seokyung Corp.	KORF-102	
Wofagui 2	BT	●	●			●	Senegal/ Guinea	KSB2				Arrested in Guinea 3/6/05 illegal mesh in trawl. Seen fishing with no licence off Guinea at 09°39'N 14°11'W 12/12/02
Wofagui 5	BT	●	●			●	Senegal/ Guinea	CSP-5				Seen fishing with no licence off Guinea at 09°53'N 15°10'W 12/12/02
Yan Yu 630	BT	●	●			●	China	VBER			3700/20024	Arrested in Guinea 03/02/05 Illegal mesh in the trawl
Yan Yu 703	BT					●	China					
Yuan Yu 16	BT					●	China	BYZB2			1200/20029	
Yuan Yu 17	BT					●	China	BYZB4			1200/20030	
Yue Yuan 812	BT					●	China					
Yue Yuan Yu 7	BT	●	●		●	●	China	BXAF6			4400/20007	
Yue Yuan Yu 8	BT	●	●			●	China/ Guinea	BXAF7			4400/20012	
Zenab 3	BT		●			●		6MBA				
Zhang Yu 2	BT					●	China					
Zhang Yuan Yu 1	BT	●	●			●	China	BAKY			2100/02736	
Zhang Yuan Yu 2	BT					●	China	BAKY			2100/02737	
Zhang Yuan Yu 7	BT					●	China					
Zhang Yuan Yu 8	BT	●				●	China	BZSY				
Zhang Yuan Yu 15												
Zhang Yuan Yu 17												
Zhang Yuan Yu 18	BT					●	China					
Zhi Jiang 04	BT	●				●	China	BKJK 537			1200/20045	
Zhi Jiang 05	BT	●	●		●	●	China	BKZA			1200/20023	
Zhou Yu 634	BT	●				●	China					
Hidden Names	9 vessels unable to be identified											Names/Id #s deliberately hidden

LEGEND			
NAME	NAME OF THE VESSEL	NAME	NAME OF THE VESSEL
TYPE	Type of vessel (RF – Reefer; BT – Bottom trawler; PT – Pelagic trawler; FF – Fish factory vessel; FV – Freezer vessel)	LLOYDS	Lloyd's info. Shows whether there was any information available about this ship in the Lloyd's database
LIC	Licence. According to the list of third country fishing vessels licenced to fish in Guinean waters provided by the Guinean Fisheries Ministry (printed 24 March 2006).	FLAG	Flag of the ship.
IUU	Those vessels which have been identified as taking part in IUU fishing activities.	CALL SIGN	Call sign of the ship
LP	Las Palmas. Those vessels which have been seen in the Port of Las Palmas in previous years.	IMO NO.	IMO Number of the ship according to the Lloyd's database
UK	Boxes of fish from these vessels observed in the UK.	OWNERS	Owners of the ship according to the Lloyd's database
		DG SANCO	Sanitary number provided by the EU to vessels authorised to export to the EU.
		OBSERVATIONS/ ILLEGAL ACTIVITIES	Observed during investigations/vessels which have been identified as taking part in IUU fishing activities.



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