

REPORT



ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE SOUTH ATLANTIC

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FOREIGN FISHING VESSELS THAT HAVE
COMMITTED ILLICIT ACTIVITIES AND OPERATE
FROM THE PORT OF MONTEVIDEO

2018



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Dozens of ships that have been sanctioned, reported, captured and/or registered in black lists of international organizations for illegal, unreported and unregulated (IUU) fishing and/or for violation of Human Rights have operated or are currently operating from the Port of Montevideo.

In recent years, reports of illegal fishing and violations of Human Rights on foreign fishing vessels operating from the Port of Montevideo have increased. Although in 2013 Uruguay ratified the Agreement on Port State Measures (PSMA) to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing¹ of the FAO_UN, since then there has been no reduction in cases of illegal fishing or mistreatment of the crews on the part of the vessels that operate from its port.

A satellite study, carried out in 2017 by the organizations Global Fishing Watch, Oceana and Skytruth, revealed that the Port of Montevideo is the second most visited port in the world by fishing transshipment vessels suspected of IUU² fishing.

In this report, and only by way of an example, the precedent of some of the most representative fleets and vessels that committed or are suspected of having committed illicit activities, and that hire the port services of Uruguay are mentioned.

"...a satellite study revealed that the Port of Montevideo is the second most visited port in the world by fishing transshipment vessels suspected of being an IUU fishing ..."

THE OYANG

- In August 2010, the South Korean-flagged ship, Oyang 70, sinks into New Zealand waters, and six members of the crew died. The investigation on the case resolved that the ship had serious safety failures, crew training problems, poor command, and breach of essential navigation and fishing regulations³. After this incident, since 2016, no foreign flag vessel can fish within of the EEZ (Exclusive Economic Zone) of New Zealand.
- In 2011, the entire crew -32 Indonesian sailors- fled from the Oyang 75 because of sexual harassment and mistreatment on board. The situation became a public concern in New Zealand. The University of Auckland Business School was the first one to write a report

1 <http://www.fao.org/port-state-measures/es/>

2 <https://oceana.org/press-center/press-releases/oceana-report-exposes-thousands-suspected-vessel-rendezvous-sea>

3 <http://www.scoop.co.nz/stories/BU1209/S00795/crew-of-oyang-75-sentenced.htm> <http://www.munz.org.nz/2013/03/08/findings-on-oyang-70-sinking-a-stain-of-new-zealands-conscience/>



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on the subject, determining that many of the allegations of abuse and low salaries were verifiable⁴. The crew's lawyers reported mistreatment: they were beaten by the officers, sexually abused, lived among rats and cockroaches, and was forced to consume food in poor condition and with insects⁵.

- In 2012 two sister ships, Oyang 75 and Oyang 77, were seized by the New Zealand government for fishing offenses, including false declaration, illegal dumping and illegal dumping of oil to the sea (for more than 400 thousand US\$)⁶.

However, the seized vessels obtained permission to operate outside of New Zealand until the trial was over. In 2014 they arrived in Montevideo, from where they operate to the present. In case mistreated crews win in court, the New Zealand law can act in other jurisdictions, including a claim to Uruguay. The case is part of a recent study on human rights in fisheries presented in South Korea⁷.

The Government of the United States warned about this case and the implications it may have on affecting exports of millions of dollars to that country⁸.

"In 2011 all the crew -32 Indonesian sailors- led from the Oyang 75 because of sexual harassment and mistreatment on board."

Amendment bill derived from the case and images of injured crew members and their statements at https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/50SCPP_EVI_00DBHOH_BILL11820_1_A331619/daren-coulston

THE LU RONG YUAN YU

- In February 2017, the Government of Liberia captured the Ghana flag fishing vessel, Lu Rong Yuan Yu 988, under the charges of illegal fishing, operation without documentation of the vessel, fishing in restricted areas, false declaration of fishing, attempt to bribe the officers of the Liberian Coast Guard, crew without documentation and in unhealthy living conditions⁹.
- In August 2018, Lu Rong Yuan Yu 988 stopped in Montevideo, this time under Chinese flag and with an identifying signal for calls different from the one of the vessel arrested in Africa.

⁴ <http://docs.business.auckland.ac.nz/Doc/11-01-Not-in-New-Zealand-waters-surely-NZAI-Working-Paper-Sept-2011.pdf>

⁵ <http://www.dailytelegraph.com.au/fishermen-raped-beaten-in-new-zealand-waters/story-e6freuyi-1226113843555> <https://translate.google.com.ar/translate?hl=es-419&sl=en&u=http://www.stuff.co.nz/business/68739974/slavery-on-nz-seas-rape-bonded-labour-and-abuse-widespread-on-fishing-boats&prev=search>

⁶ http://www.koreatimes.co.kr/www/news/nation/2016/10/113_164424.html <http://webcache.googleusercontent.com/search?q=cache:p5HmsE6zDoAJ:www.stuff.co.nz/business/8340596/10-500-fine-for-fishing-boats-secret-dumping+&cd=1&hl=es-419&ct=clnk&gl=ar&client=safari>

⁷ <http://www.koreaherald.com/view.php?ud=20170905000873>

⁸ <http://www.newshub.co.nz/nznews/us-investigates-fishing-boat-slave-labour-2012022118#axzz3bCmNo9iy>

⁹ <https://www.maritime-executive.com/article/fishing-vessels-detained-in-covert-operation>



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Because the information provided by the ANP (National Ports Administration) website does not include a series of fundamental data, such as the vessel's MMSI or IMO registration or the owner's data, it has not been possible to verify that is the same fishing vessel or a "twin" one. An extra fact is that they measure the same length: 44 meters.

- The Lu Rong Yuan Yu 101, 102, 103, 105, 106, 108 y 109 are internationally listed as illegal fishing vessels¹⁰.
- In relation to this fleet, in the last 18 months the following cases have been reported on board when arriving at the Port of Montevideo:

- Lu Rong Yuan Yu 679: one crew member died and another one had to see a doctor.
- Lu Rong Yuan Yu 939: enters the port to get off a crew member with health problems.
- Lu Rong Yuan Yu 895: "wall anchor to get off a seriously injured crew member"
- Lu Rong Yuan Yu 977: "The ship transports a deceased crew member".

The Lu Rong Yuan Yu often falsify their registration and identity, operate with "twin" or ghost ships and disconnect and/or alter their satellite-based automatic identification system (AIS) in contravention of international standards, such as the International Convention for the Safety of Life at Sea (SOLAS)¹¹ of the International Maritime Organization (IMO).

THE TYPHOON 1. The "biggest criminal of pirate fishing in the world"¹² also operated from Montevideo.

- Since 2006 it was declared an illegal fishing vessel by three organizations of fisheries regulation¹³.
- It was sought by INTERPOL since 2013 because it has dedicated, for more than 10 years, to illegal fishing. It changed his name at least 10 times. It was captured in 2015 and in 2018 its Spanish owners were sanctioned¹⁴.
- In the ANP registers it appears as flying the flag of Togo (sic), without details of the dates in which it operated.

"The 'biggest criminal of pirate fishing in the world' also operated from Montevideo"

<https://www.seashepherd.org.uk/news-and-commentary/commentary/not-one-cent-for-bribery.html>
¹⁰ <https://www.npfc.int/npfc-iiu-vessel-list-0>
¹¹ <http://www.imo.org/en/OurWork/facilitation/documents/solas%20v%20on%20safety%20of%20navigation.pdf>
¹² <https://www.nytimes.com/2015/07/28/world/a-renegade-trawler-hunted-for-10000-miles-by-vigilantes.html>
¹³ <https://iiu-vessels.org/Vessel/GetVessel/1682340a-5cea-4491-b688-6b3c5c090c4d>
¹⁴ <https://jfs.com/jfs/worldnews/worldnews.asp?l=e&country=0&special=&monthyear=&day=&id=93144&ndb=1&df=0>
<https://www.ecoticias.com/sostenibilidad/183085/mayor-delincuente-pesca-pirata-multado-82-millones-euros-Espana>



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THE INSUNG 7 (also called East Ocean)

- It was fined for illegal fishing in Antarctica in 2011. In 2012, the South Korean government vetoed it as an illegal fishing vessel.
- In 2014 it was caught illegally fishing in the Argentine Sea, together with the In-sung315. It operated from the Port of Montevideo, toward it headed later.

The Insung Corp. fleet continues operating from the Port of Montevideo.

THE PLAYA PESMAR UNO

- It was captured and sanctioned for illegal fishing in the Argentine Sea in February 2018. Playa Pesmar Dos had been sanctioned in Canada for not allowing on-board inspection. Both had been convicted in 2015 in the Falkland Islands for falsifying their capture¹⁶.
- In April 2018, before the imminent arrival of Playa Pesmar Uno to Montevideo, Oceanosanos alerted the Uruguayan authorities (DINARA, ANP and Armada), which led to an inspection.

Several irregularities were detected, among them, that the captain had falsified the information on the species caught—he had not declared that it had black hake in the hold of the ship—and that it did not have the “permit” that the Spanish State must grant, being it a mandatory requirement under the Conference on the Conservation of Antarctic Marine Living Resources (CCAMLR). However, it was “custom-made” and sent a few hours later.

Spanish shipowners are internationally recognized for their links to illegal fishing, shark finning and drug trafficking, as well as for being subsidized by the Iberian State.

The Galician fishing businessman and former delegate of the Xunta de Galicia in Uruguay, internationally recognized for being on the “black lists of illegal fishing”, participated in Montevideo in efforts to prevent illegal fishing¹⁷.

¹⁵ <http://www.franciscoblaha.info/blog/2014/8/1/insung-7-a-korean-vessel-with-iiu-fish-on-board-ends-its-9-month-drift-in-montevideo>

¹⁶ <https://jfs.com/fjs/worldnews/worldnews.asp?l=e&id=79587&ndb=1>

¹⁷ <https://www.farodevigo.es/galicia/2009/07/21/delegado-xunta-uruguay-figura-lista-negra-pesca-ilegal/350621.html>



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There are more than two dozen vessels similar to the ones mentioned here that have been sanctioned, reported, captured and/or registered in blacklists of international organizations for IUU fishing and/or violation of Human Rights, which have operated or are currently operating from the Port of Montevideo.

Milko Schvartzman
Oceanosanos

Collection: IUU Fishing in
the South Atlantic. www.oceanosanos.org/Informes
Twitter: @oceanosanos
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