

REPORT



ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE SOUTH ATLANTIC



ILLEGAL FISHING AND ORGANIZED CRIME

2018



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Foreign fishing vessels that transship on the high seas without any regulations and that disembark in ports where they are not inspected are often used for criminal activities, such as drug trafficking, human trafficking and arms trafficking.

TRANSSHIPMENT ON THE HIGH SEAS

To avoid being monitored and to stay longer on the high seas, fishing vessels involved in illicit activities use the method of unloading, refueling and change of crew by mooring to another ship with cargo capacity and a refrigerated cargo hold, the so-called “reefers”. Most of them are registered under the a “flag of convenience” (FOC), that is, they use the flag of a third state that lacks legal regulations on crimes on high seas.

The transshipment on high seas, a common practice for ships involved in illegal fishing, drug trafficking and human trafficking, not only allows ships to remain for months -or even more than a year- without returning to port, but also makes it impossible to verify the origin of the catch, its environmental impacts, health, labor or safety controls for navigation.

The shipowners -owner companies- of the fishing vessels, who carry out IUU fishing and of the ‘reefers’ of transshipment, generally come from capitals of different nationalities than that of the vessels, as part of the legal framework targeted to avoid being detected and sanctioned.

Article 20 of Act N° 19.175¹ on Hydrobiological Resources of Uruguay prohibits the transshipment of fishing in all jurisdictional waters of the country. The foreign vessels that operate in the Port of Montevideo makes it a common practice in international waters, where there is no regulation whatsoever.

Uruguay, as a signatory country to the Agreement on Port State Measures Agreement (PMSA)² to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing of the FAO-UN is committed to fighting illegal fishing. However, the Government has admitted that the catch being unloaded in its port may come from this practice (as cited on the presidency website³):

“(…) in 2015, more than 1,500 unloading of catch were made in the Port of

¹ <https://legislativo.parlamento.gub.uy/temporales/leytemp1298325.htm>

² <http://www.fao.org/port-state-measures/es/>

³ <https://presidencia.gub.uy/comunicacion/comunicacionnoticias/onu-uruguay-distincion-control-pesca-ilegal>



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Montevideo and more than half of them were from vessels that were transhipped on the high seas. This represents a risk situation that can cover illegal fishing.”

The Port of Montevideo is cataloged as the second port worldwide that gets transshipment fishing suspected of being IUU⁴.

The statements of the origin of the catch before the Uruguayan authorities are provided by the captains of the foreign fishing vessels themselves. That is, the existing control in port, with no inspection on board, is based on trust, on their declarations.

During a workshop held by the FAO-UN, experts in fisheries monitoring concluded that the transshipment on the high seas is a practice used by those who seek to evade controls and poses a damage to the PMSA⁵.

Scientists say that to combat illegal fishing, forced labor and human trafficking, it is necessary to prohibit transshipment⁶. The impossibility of any verification of the origin or traceability of the cargo makes it impossible to comply with the PMSA.

FISHING AND DRUG TRAFFICKING IN THE PORT OF MONTEVIDEO

In September 2018, a cargo of more than 400 kilograms of cocaine, valued at more than 12 million dollars, was detected in the Port of Montevideo. The cargo had been placed in a wool shipping container while it remained in the port. Although there was an international red alert for suspicions of drug trafficking in that shipment, the Customs personnel did not inspect the cargo. Therefore, they are suspected of their behaviour⁷.

The main person involved in the shipment, a Uruguayan fishing businessman, “was a popular man in the port circle, in fact, he entered and left the port without being checked”, despite his extensive criminal record. Since 2006, the businessman was under suspicion for drug trafficking, he was involved in a shipment of 93 kilograms of cocaine that departed from the Port of Montevideo in a container with chickpeas to Lisbon, Portugal, where it was discovered⁸.

In December 2013, the Uruguayan Navy carried out the largest drug seizure in its history: 1,440 Kilograms of cocaine that were transported by the Perbes, a Panamanian flag fishing

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

5 <http://www.fao.org/iuu-fishing/news-events/detail/es/c/1145065/>

6 <https://www.sciencedaily.com/releases/2017/04/170418094240.htm>

7 <https://www.elobservador.com.uy/nota/indagan-a-cadena-exportadora-por-cargamento-de-cocaina-2018910172632>

8 <https://www.subrayado.com.uy/quien-es-el-turco-el-capo-narco-que-intento-sacar-417-kilos-cocaina-ocultos-lana-sucia-n514287>



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vessel and linkages with Galicia⁹.

In 2008, an organization dedicated to drug trafficking that transported cocaine to Spain on board of fishing vessels was detected. It was led by a businessman related to the fishing circle¹⁰.

THE GALICIAN MAFIA AND THE TRANSFER ON THE HIGH SEAS¹¹

In 2008, the Cibeles y Banzaré ships, under the Uruguayan flag, were involved in illegal fishing activities, shark finning, transshipment on the high seas and drug trafficking, which resulted in the arrest of one of the owners of the fishing company with linkages in Uruguay.

The “Galician Mafia” is the nickname of the criminal organization involved in illegal fishing and drug trafficking composed of Spanish companies, with connections in África and Uruguay. The galician fishing businessman and former delegate of the Galician regional government in Uruguay, internationally known for being on the ‘black list of illegal fishing’, participated in works to prevent illegal fishing in Montevideo.

Currently he is a member of the Chamber of Foreign Fishing Agents in Uruguay (CAPE).

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

Subsidies to destructive and IUU fishing, not only cause serious environmental damage to the oceans, but also distort the market, generate unfair competition with the regulated fishing and the fishing communities in developing countries and generate unemployment and social impacts¹².

There are no official publications of the percentage of ships inspected in Port. In 2018, and based on an alert generated by Oceanosanos, the Spanish vessel Playa Pesmar Uno was inspected. Among several irregularities, the captain and the port agency provided false information to the State, and did not have the necessary fishing permit for the species not declared that they had kept clandestinely in the cargo hold. The case did not result in any sanction whatsoever¹³.

During the control, the Uruguayan State relies on the information IUU fishing vessels provide to prevent IUU fishing:

⁹ https://www.lavozdeg Galicia.es/noticia/galicia/2013/12/23/hallan-1440-kilos-coca-buque-gallego/0003_201312G23P28991.htm

¹⁰ <https://www.farodevigo.es/sucesos/2008/11/30/cae-red-uruguay-envio-alijo-200-kilos-coca-puerto-vigo/277850.html>

¹¹ <https://eu.oceana.org/en/press-center/press-releases/oceana-exposes-galician-connections-between-cocaine-illegal-fishing-and>

¹² Uno de los Objetivos de Desarrollo Sostenible de la ONU, es la prohibición de los subsidios a la sobrepesca y la pesca INDNR para 2020, el ODS 14.6: <https://www.un.org/sustainabledevelopment/es/oceans/>

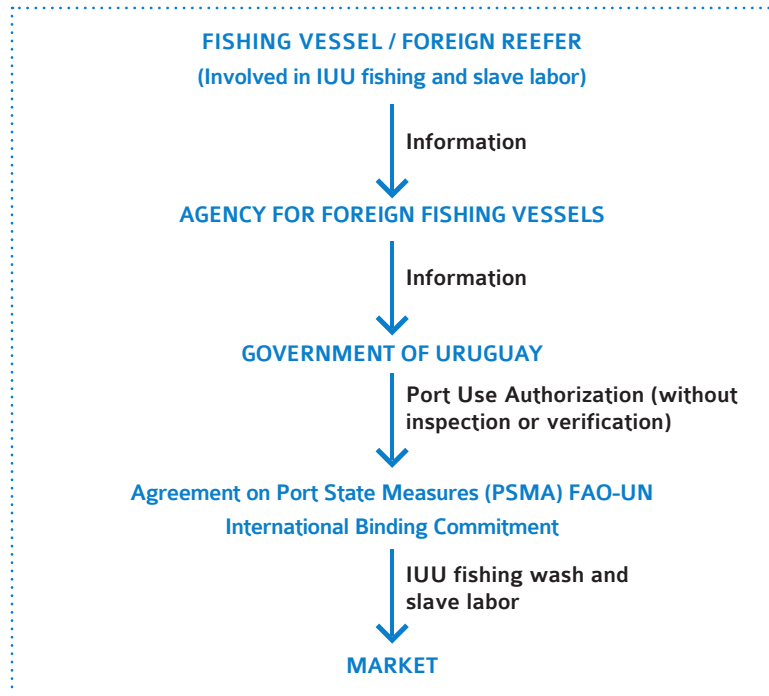
¹³ <http://oceanosanos.org/barcos-pesqueros-extranjeros-que-han-cometido-ilicitos-y-operan-desde-el-puerto-de-montevideo/>



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In the Port of Montevideo, compliance with the Agreement on Port State Measures to prevent, deter and eliminate IUU fishing of the FAO-UN is in the hands of the fishermen themselves involved in illegal fishing and abuse of Human Rights.

IUU fishing is more than an environmental problem, the absence of controls of vessels on board leaves the door open to a series of illicit activities that affect national security and the local fishing industry, and allows human rights abuses¹⁴.

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Collection: IUU Fishing in the South Atlantic
www.oceanosanos.org/Informes
Twitter: @oceanosanos
2018

¹⁴ <http://oceanosanos.org/trabajo-esclavo-trata-y-muerte-en-el-puerto-de-montevideo/>