

ADDRESSING IUU IN MOZAMBICAN *“ANTILLAS REEFER CASE”*

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PORT AND SEA INSPECTION ANALYSES TO FIND TRENDS IN IUU FISHING.

- All nets on board are checked during at-sea and port inspections;
- Inspections ashore and at sea have improved the level of compliance immensely;
- The VMS system is fully operational for FFV and will be for NFV in 2011.
- Entry/Exit EEZ report enforced and hard copy reporting if the base station is temporarily down.

LICENSING PROCEDURES/CHECK LIST FOR FFV

1. LICENSE APPLICATION FORM UPDATED TO CAPTURE MORE INFORMATION ABOUT THE VESSELS, INCLUDING VESSEL HISTORY;
2. IMPLEMENTATION OF A PRE-LICENSING CHECK LIST FORM FOR VERIFICATION OF DATA;
3. IN CONJUNCTION WITH RFMO'S CONFIRM WHETHER THE VESSEL IS AUTHORIZED BY THE FLAG STATE TO FISH IN THIRD PARTY WATERS;

RECENT MCS ACTIONS

Results of MCS actions

- Lian Chi Sheng No. 62; Ms/Ross
- Nomar I (Nong Jyi Lih); Wulan Eks Lerry; Antillas Reefer.
- **Payam – Iran**
 - No fishing licence or logbook
 - Eight tons of fish thrown overboard prior to apprehension
 - Nine mile long gillnet confiscated
 - Vessel fined USD 45 000
- **Alexia, Zumaya Dous & O’Covelo – Spain**
 - Longline vessels licenced to fish in Mozambique
 - No catch declarations made
 - Vessels fined



REGIONAL PLATFORMS

Bilateral Missions

- (Mozambique/RSA);

Multilateral Missions

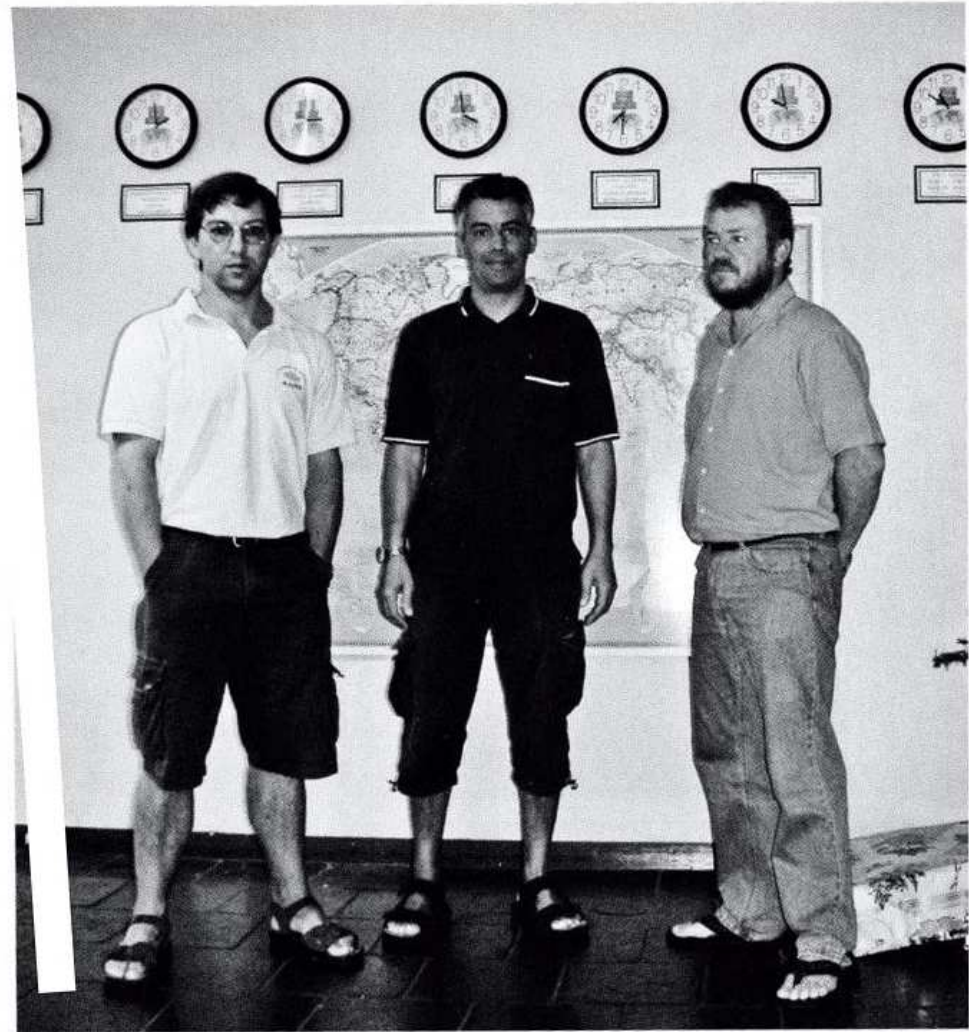
- (Kenya, Tanz., Moz., RSA);

Regional (Indian Ocean Commission -IOC)

SADC Regional MCS Centre



ANTILLAS REEFER CASE



Above: Viarsa's other officers: Jose Gonzalez Perez, whose diary appeared to say that the vessel had been poaching in Australian waters; Antonio Perez, the fishing master and one of the world's most successful toothfish hunters; and Francisco Fernandez Oliveira, one of the first officers.

ANTILLAS REEFER CASE

- Owned by: Namibian registered company based in Walvis Bay named **OMPALA FISHING PTY LTD**
- **Regime:** *Joint Venture* between **MABENAL, S.A.** Uruguayan company with headquarter in Spain and **GONGALA FISHING** Namibian company with headquarter in Namibia.
- **Mozambican partner:** Sabpal Pescas
- **Captain:** Francisco Olveira Fernandes was the First Officer on the famous Viarsi I – the longest IUU fishing vessel chase to date from Australia to South Africa).

ANTILLAS REEFER CASE

- **23rd June 2008** – Mozambican authorities got information that an unknown vessel called Antillas Reefer was fishing in Mozambican waters. At this time they were checking the history of Antillas Reefer's;
- **24th June 2008** - Representative company was directed to bring the vessel to port for further investigation, pre-fishing briefing and analyse;
- **Beginning of July** – Vessel reach Maputo with engine problems and remained out of port for unknown reason for two days and only on 5th July, 2008 vessel entered into port.

ANTILLAS REEFER CASE

- Inspection in port revealed that the vessel:
 - Was fishing in mozambican water since 14th May 2008;
 - Had 43t of shark, 4t of shark fin, 1.8t of shark tail, 11.3t of shark liver and 20t of shark oil, 65t quantity of bait and illegal fishing gear;
 - The vessel, fishing products, fishing gear, documents were immediately arrested and the master and chief engineer kept under custody.

ANTILLAS REEFER CASE

- An inter-agency meeting to strategize how to approach the case was invited;
- Navy was designated to take custody of the vessel;
- Immigration allowed the crew (37) to leave the country except the master and chief engineer.

ANTILLAS REEFER CASE

- **18 August 2008**- Declared the administrative penalty as the loss of vessel, equipment, fishing gear and fish products and a fine totalling US\$4.507 million dollars for the infractions against Mozambican fisheries legislation.
- The penalty was appealed to the Administrative Tribunal by the Spanish owners of the Namibian joint venture.
- The final ruling of the appeal by the Tribunal was announced in **June 2010** in that they supported the Minister's confiscation of vessel, equipment, fishing gear and fish product.

ANTILLAS REEFER CASE

- In preparation of the court case international technical assistance was requested for checking computers with following findings:
 - **One**: Position files had been purposefully deleted from the vessel's computers;
 - **Two**: Someone attempted to conceal those deletions by mislabeling blank files;
 - **Three**: Vessel communicated with Spain than Namibia;

LESSONS FROM ANTILLAS REEFER CASE

- Rapid inventory of the IUU fishing vessel assumed high level of importance to avoid the destruction of the evidence or sabotage;
- Delays in the resolution of any case, can cause a international perception of a lack of action and commitment and reduce the international profile to stop IUU Fishing;
- Continued training of judiciary to sensitise them about fisheries matter is important;
- Inter-agency Heads of Operations Guidelines.
- Training special investigators to be able to get the full facts of any case.

PERSPECTIVES

- ANTILLAS REEFER
IS BACK TO THE
SEA AS A PATROL
VESSEL



STOP IUU FISHING
REMOVING THE VESSEL, MASTER
AND COMPANY FROM THE SEA

MUITO OBRIGADO
THANK YOU
MERCI