

# INTER-AMERICAN TROPICAL TUNA COMMISSION

## 95<sup>th</sup> MEETING

(by videoconference)

November 30 to December 04, 2020

### DOCUMENT IATTC-95-04 IATTC IUU VESSEL LIST

IATTC Resolution [C-19-02](#), which amended and replaced IATTC Resolution [C-15-01](#), requires that, at its annual meeting, the Commission establish a list of the vessels that it identified as having participated in (IUU) fishing activities in the Antigua Convention Area, based on information collected by Members and Cooperating Non-Members (CPCs) and from any other relevant sources.

This year, due to the unprecedented circumstances brought about by the COVID 19 pandemic, the Commission will have to take a decision under item 7 of the provisional (focused) agenda of its 95th meeting, which will be held exceptionally by videoconference, on the adoption of the IUU Vessel List without a prior recommendation issued by the Committee for the Review of Implementation of Measures Adopted by the Commission.

In addition to the vessels already included in the current list, for which no flag State has requested that they be removed from the list, the Commission must consider the case of the Venezuelan-flagged vessel *Aleta Azul* whose inclusion was proposed by Panama.

In accordance with paragraph 4 of resolution C-19-02, Panama submitted the corresponding information in the format attached as Annex A of the resolution. According to this information, reproduced in [Appendix 1](#) of this memorandum, the vessel *Aleta Azul* allegedly carried out the following IUU fishing activities:

- Harvest species covered by the Convention in waters under the national jurisdiction of the coastal State in the Convention Area without authorization and/or in contravention of its laws and regulation.
- Make false reports or fail to record or report their catches made in the Convention Area.
- Engaged in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures.

In accordance with paragraph 5 of the resolution and at the request of Panama, Venezuela was notified of the request to include the vessel on the IUU vessel list and was provided with a copy of the suitably documented information.

Venezuela acknowledged receipt of the notification and reported that, after investigating the case and concluding that the vessel had committed an infraction, the fisheries authority initiated an administrative procedure for the imposition of sanctions. [Appendix 2](#) of this memorandum includes an extract of the notification by the Government of Venezuela with reference to the on-

going actions, as information that would eventually demonstrate that effective action as referred to in paragraph 12b. of resolution C-19-02 was taken by the flag State.

In conclusion, in **Appendix 3** of this memorandum, the provisional IUU Vessel List, identical to the list adopted the previous year with the addition of the vessel *Aleta Azul*, is submitted to the Commission for its consideration and decision.


**Appendix 1**

**ANNEX A - IATTC REPORTING FORM FOR IUU ACTIVITY**

Pursuant to paragraphs 4 of IATTC Resolution [C-15-01] to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the Eastern Pacific Ocean, attached are details of alleged IUU activity.

**A. Details of Vessel**

*(Please detail the incidents(s) in the format below)*

Item		Available Information
a	Name of vessel and previous names (if any)	<i>Aleta Azul</i> without prior name in accordance with Venezuelan Navigation Patent, Certificate No. INEA / GSMAR / 2019 / 01-0005
b	Flag and previous flags (if any)	Bolivarian Republic of Venezuela
c	Owner and previous owners, including beneficial owner (if any)	FLOTA INDUSTRIAL PESCA ATUNERA CARIBE C.A. (FIPACA)
d	Owner's place of registration	Bolivarian Republic of Venezuela
e	Operator and previous operators	Not known by Panama
f	Call sign and previous call signs (if any)	YYKY
g	IMO number (if any)	8030245
h	Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier	IATTC Vessel Number: 3694 MMSI: 775623000 Register numbers (matricula) issued by Venezuela: Matricula No. APNN-PE-0245 Matricula No. APNN-PE-0246 Matricula No. APNN-PE-8569 Matricula No. APNN-PE-0345 Matricula No. APNN-PE-0346
i	Length overall	70.00 m (overall)
j	Photographs	
k	Date first included on the IATTC IUU list (if	Not Applicable

l	Date of alleged IUU fishing activities	<p>Detected on July 16, 2019, during the inspection of the vessel evidence of possible IUU fishing activities on the dates from March 24 to 28, 2019.</p> <p>Estimated declaration of 50 tons of tuna identified yellow fin. Proven unloaded weight of 44,552 which corresponds to a catch made in the period of 20 March 2019 to April 04, 2019.</p>
m	Position of alleged IUU fishing activities	<p>When carrying out an inspection procedure in the Port of Vacamonte, it was identified captures made within the Exclusive Economic Zone of Colombia without the due authorization for such purposes.</p>
n	Summary of alleged IUU activities (see also section B)	<p>The vessel submitted, prior notification of entry to port, omitting information from the captures. During the verification procedures at the desk, all the documentation and it was considered feasible to authorize the vessel to enter port.</p> <p>This authorization was made conditional on carrying out an inspection by qualified representatives of ARAP.</p> <p>When boarding the vessel, it was possible to check according to onboard logbook, electronic records and data related to the storage of product, that the vessel made sets on tunas in jurisdictional waters of the Republic of Colombia.</p> <p>When requesting support and evidence, in the case of having this type of documentation, the Captain of the vessel declared that he did not have an authorization to carry out extraction of said resource in said Country.</p> <p>In addition to this, it is imperative to mention that, during the procedure related to the authorization of entry of the vessel to port, it was observed that the vessel presented an inconsistent prior notification upon arrival vessel. All of this was verified by interviewing the Captain during the inspection process.</p> <p>It has been proven that the vessel omitted information in order to be accepted, its admission to port, trying to hide information related to possible activities of the vessel in another country without the proper authorization.</p> <p>It is attached to this document, information and documentation supporting these arguments.</p>

o	Summary of any actions known to have been taken in response to the activities	<p>The administrative process was opened and substantiated penalty for non-compliance with State measures of the Port aimed at preventing, discouraging and eliminate illegal, unreported, unregulated fishing, which concluded with the imposition of a pecuniary penalty for the order of USD \$ 50,000.00.</p> <p>Sailing departure was denied due to security deficiencies in navigation, which concluded once corrected said deficiencies.</p>
p	Outcome of any actions taken	<p>Due to non-compliance with the measures of the Governing State of the Port designed to prevent, discourage and eliminate fishing illegal, not declared and not regulated, which concluded with the imposition of a pecuniary sanction in the order of USD \$ 50,000.00, through Final Resolution No. DGIVC / RF / PINT / 018-19 of September 12, 2019, confirmed, based on appeal, through Resolution ADM / ARAP No. 17 of February 12, 2</p>

**B. Details of Alleged IUU Activity**

*(Indicate with an “X” the applicable elements of the activity and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)*

<b>C-15 01, para. 3</b>	<b>Vessel fished for species covered by the IATTC Convention within the Convention Area and:</b>	<b>Indicate</b>
a	Are not on the IATTC Regional Vessel Register	
b	Harvested species covered by the Convention in waters under the jurisdiction of another State, without permission of that State, or in contravention of its laws and regulations	X
c	Made false reports or fail to record or report their catches made in the Convention Area	X
d	Engaged in fishing activities in a closed area or during a closure period	
e	Used prohibited fishing gear or fishing methods	
f	Transshipped with, participate in joint fishing operations with, support, or resupply vessels included in the IUU Vessel List	
g	Conducted transshipment operations with vessels not included on the IATTC Regional Vessel Register or the relevant vessel registers of other RFMOs	
h	Are without nationality	
i	Engaged in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures	X
j	Engage in fishing for IATTC species and the flag State has exhausted or has no quota or catch limit	
k	Are under the control of the owner or operator of any vessel on the IUU Vessel List	

## Appendix 2

**Extract from the letter of Venezuela sent to the Secretariat that details the actions taken regarding the case of the *Aleta Azul* vessel. (Informal translation)**

**3.- Non-compliance of resolution C-15-01. Numeral 3, letter b. "*Harvest species covered by the Convention in waters under the national jurisdiction of the coastal State in the Convention Area without authorization*"**

The immediate initiation of an Administrative Procedure has been instructed, as established by Venezuelan legislation in this matter, which leads to determining the responsibilities and the application of forceful actions towards the *Aleta Azul* vessel, the Fishing Captain and the Fishing Master, which can lead to the following sanctions:

- Suspend the fishing permit for the *Aleta Azul* vessel for one (1) year that can be extended for one more year.
- Suspend the fishing permit to the captain of the vessel (Venezuelan) for one (1) year that can be extended for one more year.
- Suspend the (Mexican) fishing skipper for a period that can range from one (1) to three (03) years and he will not be allowed to carry out fishing activities on any Venezuelan flag vessel.
- Impose a fine on the shipowner, among others.

In this way, the Bolivarian Republic of Venezuela, through this fishing administration, has the firm desire to not to allow the operation of vessels involved in illegal, unreported and unregulated fishing activities by vessels that fly our flag, for which actions will be taken in a manner prompt and timely to discourage this practice.

Likewise, it was instructed to exhort the entire Venezuelan fleet to comply with the regulations and resolutions that regulate the fishing activity, such as the Fisheries and Aquaculture Law, IATTC resolutions, among others, in order to avoid being imposed severe sanctions.

### Appendix 3

#### Draft IUU List (identical to the current IUU Vessel list with the addition of the *Aleta Azul*)

	<b>IATTC Vessel number</b>	<b>Name</b>	<b>Gear</b>	<b>Flag</b>
	3694	<i>Aleta Azul</i>	PS	VEN
1	14613	<a href="#"><i>Neptune</i></a>	LL	GEO
2	12290	<a href="#"><i>Bhaskara No. 10</i></a>	LL	UNK
3	12291	<a href="#"><i>Bhaskara No. 9</i></a>	LL	UNK
4	9407	<a href="#"><i>Camelot</i></a>	LL	UNK
5	125	<a href="#"><i>Chia Hao No. 66</i></a>	LL	UNK
6	6163	<a href="#"><i>Dragon III</i></a>	LL	UNK
7	6591	<a href="#"><i>Goidau Ruey No. 1</i></a>	LL	UNK
8	9505	<a href="#"><i>Jyi Lih 88</i></a>	LL	UNK
9	11369	<a href="#"><i>Orca</i></a>	LL	UNK
10	95	<a href="#"><i>Reymar 6</i></a>	LL	UNK
11	9405	<a href="#"><i>Ta Fu 1</i></a>	LL	UNK
12	13568	<a href="#"><i>Tching Ye No. 6</i></a>	LL	UNK
13	129	<a href="#"><i>Wen Teng No. 688</i></a>	LL	UNK

<b>Flag</b>	<b>Description</b>
UNK	Unknown
GEO	Georgia
VEN	Venezuela

<b>Gear</b>	<b>Description</b>
LL	Long line
PS	Cerquero