

VIETNAM

제 68 부 영

TAVARID 1

NO 6800 TONG

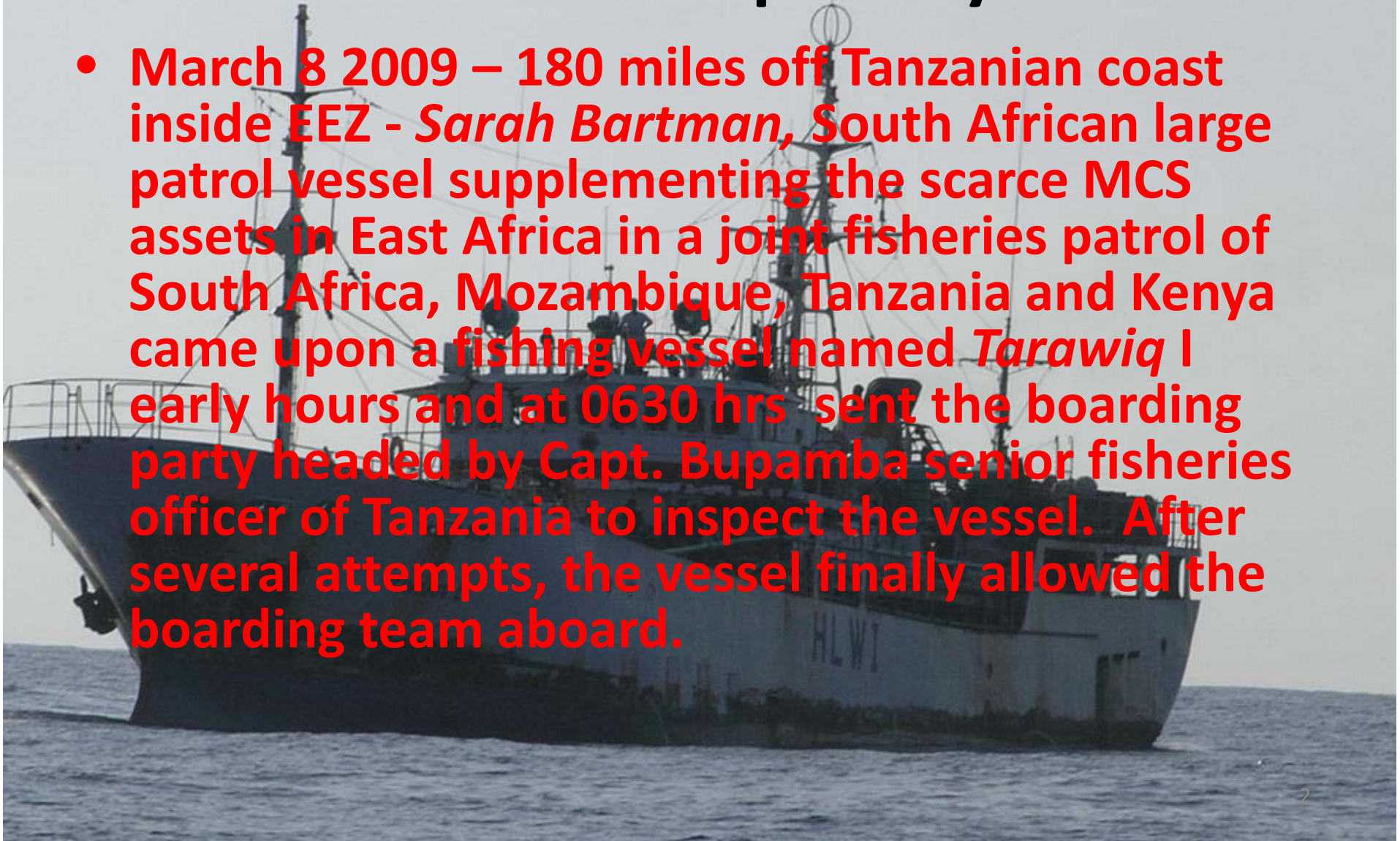
BUSAN

Cape Town

July 2012

Regional Cooperation – the Tarawiq I Story

- March 8 2009 – 180 miles off Tanzanian coast inside EEZ - *Sarah Bartman*, South African large patrol vessel supplementing the scarce MCS assets in East Africa in a joint fisheries patrol of South Africa, Mozambique, Tanzania and Kenya came upon a fishing vessel named *Tarawiq I* early hours and at 0630 hrs sent the boarding party headed by Capt. Bupamba senior fisheries officer of Tanzania to inspect the vessel. After several attempts, the vessel finally allowed the boarding team aboard.



Findings

- No License – only expired license for sister ship *Tarawiq II*
- No formal log book of catches and positions aboard
- Nav Plot indicated that vessel was inside Tanzania's EEZ 7 March – **Note:** nav plot deleted by Master shortly after boarding party came aboard - **BUT not before the boarding team had taken a picture of it.**
- 260 mt fish aboard – tuna-shark, shark fins _ Master declared only 70 mt of fish aboard
- No visible flag, radar off (presumably to avoid detection), certificates of registry and survey certificates indicated the vessel as **No 68 Bu Young** from Busan (also embossed on stern under painted blue lettering of *Tarawiq I*)
- No registration or documents demonstratign the vessel as *Tarawiq I*, flagged to Oman as claimed by the Master.

Findings

- Vessel escorted to Dar Es Salaam, Master and crew placed in detention
- March 10 self-proclaimed agent, Mr. Zhao Hanqing (Chinese National based in Mombasa and 'friend' Hsu Shen Pao were arrested as being complicated in the affairs of the vessel.
- They presented an expired fishing license for the *Tarawiq 1* from Zanzibar.

Regional Support

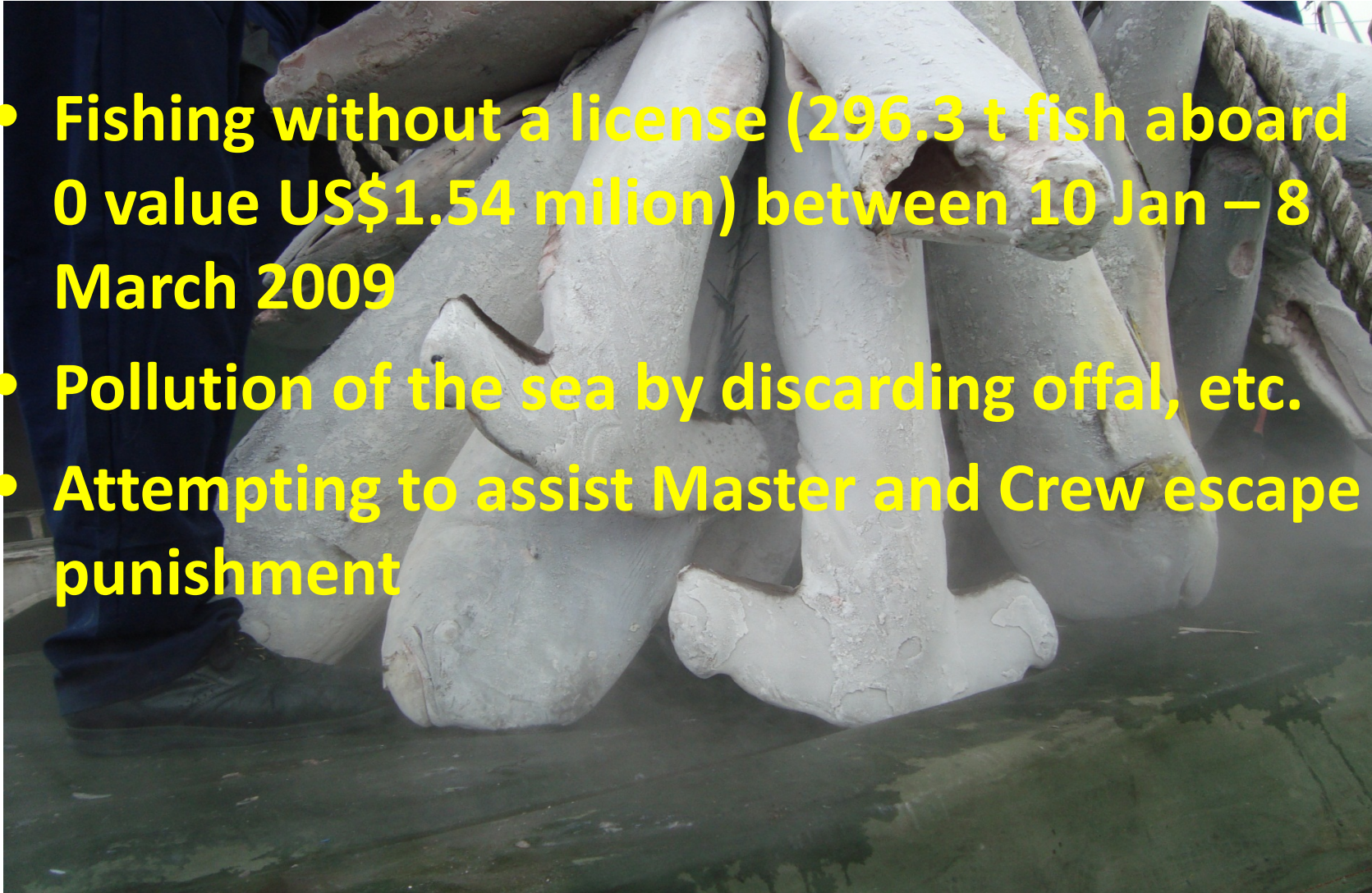
- Tanzania, as it was their first international fisheries case, requested, and received, international technical assistance, first from FAO for a first general investigation mission, and second from Norway for a detailed investigation mission to assist the prosecution team in building their case. Mozambique allowed their MCS Advisor to lead these two missions. The second mission had a senior fisheries captain from Norway, Marine Architect from Australia and two NOAA Agents to reconstruct computer deleted evidence.
- Tasks were to assess evidence, survey the vessel, assess catch value and reconstruct computer evidence as well as assist prosecution in building their case.

Findings

- Vessel had several 'aliases', *Tarawiq I*, *Tarawiq II*, *No. 68 Bu Young*, *No. 11 Insung*, but none with current applicability
- Vessel was larger than *Tarawiq I* specs and no docs for *Tarawiq I* or its previous name *Odine Malagasy* of Madagascar.
- Call sign still on vessel was HLWI of *No 68 Bu Young*. Documents of IMO number also identified vessel as *No 68 Bu Young* but South Korea reputed to have sold the vessel to the Philippines.

Charges (6)

- Fishing without a license (296.3 t fish aboard 0 value US\$1.54 milion) between 10 Jan – 8 March 2009
- Pollution of the sea by discarding offal, etc.
- Attempting to assist Master and Crew escape punishment



Case Results

- 23 February 2012 (almost 3 years later) - **GUILTY**
 - Forfeiture of vessel
 - Fishing without a license in Tanzanian EEZ (Master, Hsu Chin Tai, and Zhao Hanging)

PENALTY

- **1 billion Tanzanian Shillings (USD 625,975) each for the three noted above or 20 years incarceration**
 - **20 billion Tanzanian Shillings (USD12,519,500) for pollution**
- Fisheries crimes are often in association with other crimes

Finale

- **Regional Cooperation works, and is the only way we will deter and eliminate IUU Fishing and PORT STATE MEASURES is a key tool to stop IUU Fishing**
- **I wish to congratulate Tanzania, my colleagues Geoffrey Nanyaro, Zahor Kasim, Biswalo Manga, their officers and prosecution and the regional support team, and before I conclude, I will ask my colleague, Zahor Kasim, Deputy Director of the Deep Sea Authority of Tanzania to talk about the challenges of delays and lessons learned in this case for the benefit of all of us.**

• Muito Obrigado

• Merci

• Thank you