

**3rd Meeting of the Compliance and Technical Committee
Valdivia, Chile, 21 to 23 January 2016**

**CTC-03-05
DRAFT IUU List**

CMM 1.04 on the Establishment of a List of Presumed IUU Vessels stipulates that the Executive Secretary shall re-circulate to the Members and CNC two weeks in advance of the Commission meeting the draft IUU list and the current IUU List, including any intersessional modifications to the current IUU List together with all suitably documented information provided pursuant to paragraph 4.

In accordance with paragraph 7, Members and CNCPs may at any time submit to the Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The Executive Secretary shall circulate the information, at the latest before the annual meeting, together with all the evidence provided.

2016 DRAFT IUU List (ANNEX A)

In September 2015, the Secretariat has received the request to include the following vessel in the 2016 DRAFT SPRFMO IUU List:

- FV MYS MARI (IMO: 9009918, Russian Federation)

To date (7 January 2016), the Secretariat has not received any comments and additional evidence in this case.

Summary by the Secretariat of the supporting evidence regarding illegal fishing activities of the MYS MARI (ANNEX B)

Using AIS information, on 20 February 2015 staff of the New Zealand Ministry for Primary Industry (MPI) discovered the presence of the MYS MARI, a Russian-flagged vessel authorised to fish in the CCAMLR Area but not authorised to fish in the SPRFMO Area, in the vicinity of the Louisville Ridge, east of the New Zealand EEZ boundary. Alerted by the MPI, the New Zealand Air Force conducted a surveillance flight on 21 February to gather evidence of any unauthorised fishing activity by the vessel in question with the result of the collection of substantive circumstantial evidence indicating that the vessel was in fact bottom fishing.

On 26 March, MPI wrote to the Russian Representative to SPRFMO to inform him of the incident and the New Zealand findings and requested that the Russian authorities investigate the matter and report back to the SPRFMO Secretariat as soon as possible. To date the Secretariat has not received a communication from the Russian Federation regarding the MYS MARI.


The MYS MARI was proposed for inclusion in the DRAFT SPRFMO IUU list by New Zealand on 23 September 2015. The relevant documents are contained in **Annex B**.

The 2015 SPRFMO IUU List (Annex C)

1. AURORA ((IMO: 9179359, Russian Federation)
2. DAMANZAIHAO (IMO: 7913622, Peru), *previously LAFAYETTE and flagged to Russian Federation (presumed IUU activities during both periods)*

No intersessional modifications were made to the 2015 IUU List.

DRAFT IUU LIST 2016

Name of vessel	MYS MARI
Flag of vessel	Russian Federation
Name & Address of Owner	LLC Transit DV (Company details unknown)
Operator of vessel	LLC Transit DV
Call sign of vessel	UIBA
IMO number	9009918
Other vessel identifier	
Photograph of vessel	
Date the vessel was first included in the IUU List	not applicable
Summary of activities that justifies the inclusion of the vessel on the List	<p>In response to information received through AIS data, the New Zealand Government deployed a surveillance aircraft on 21/2/2015 to the approximate location of the Mys Marii which was present in the SPRFMO Convention Area to the east of the New Zealand EEZ. As a result of the surveillance activity carried out, photographic evidence was gathered which showed that the Mys Marii was fishing at the time. It was subsequently confirmed with the SPRFMO Secretariat that the Mys Marii was not authorised to fish in the SPRFMO Convention Area by its flag state Russian Federation. See New Zealand preliminary investigation report (24/3/2015), letter to Russian Federation (26/3/2015) and letter to the SPRFMO Secretariat (23/9/2015)</p>



Preliminary investigation report – Operations Branch, New Zealand Ministry for Primary Industries

Russian flagged vessel *Mys Marii* undertakes alleged IUU fishing in South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area.

Contact – Andrew Wright, Operations Branch

Released – 24/3/2015

1 Background

On Friday 20th February, 2015 the New Zealand Ministry for Primary Industries (MPI) detected via AIS data the Russian flagged vessel *Mys Marii* (IMO 9009918). The data showed that the vessel was operating in the vicinity of the Louisville Ridge to the east of the New Zealand EEZ boundary (Chart 1). The AIS data indicated activity near the top of a seamount chain, this data showed parallel lines of repetitive activity that was consistent with the laying and retrieving of fishing lines (Chart 2).

The *Mys Marii* is a vessel licensed to fish in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Area and was in transit from the CCAMLR Area (Statistical Subarea 88.2). The area in which the *Mys Marii* was detected via AIS is a well-known fishing ground due to the presence of numerous seamounts, known for their nutrient rich waters and associated pelagic and demersal fish stocks.

On 12 December 2014, the *Mys Marii* was inspected by a New Zealand Navy Offshore Patrol Vessel (OPV) while fishing in Statistical Subarea 88.1 (Ross Sea) of the CCAMLR Area. The inspection of the vessel did not reveal any matters of non-compliance with CCAMLR Conservation Measures (CMs). During the inspection, it was recorded that the vessel was using demersal (on the seabed) longline gear (which is shown in Photo 1) and no other gear was seen on board the vessel.

According to AIS, the *Mys Marii* has not visited a port since departing the CCAMLR area. Therefore any subsequent fishing will have been carried out using demersal longlines that were carried by the vessel at the times.

The fishing method of demersal longlining is regulated by the South Pacific Regional Fisheries Management Organisation (SPRFMO) if used on the high seas in the South Pacific. Vessels flagged to states that are party to SPRFMO must first be authorised prior to fishing in the SPRFMO Convention Area.

The SPRFMO Secretariat has advised that the *Mys Marii* is not authorised by its flag State, the Russian Federation, to fish in the SPRFMO convention Area.

Photo 1 – photos taken of bottom longline gear when the *Mys Marii* was inspected by a New Zealand OPV on 1/12/2014 in the CCAMLR Area



Chart 1 – AIS position for the *Mys Marii* operating above the Louisville Ridge 20/2/2015.

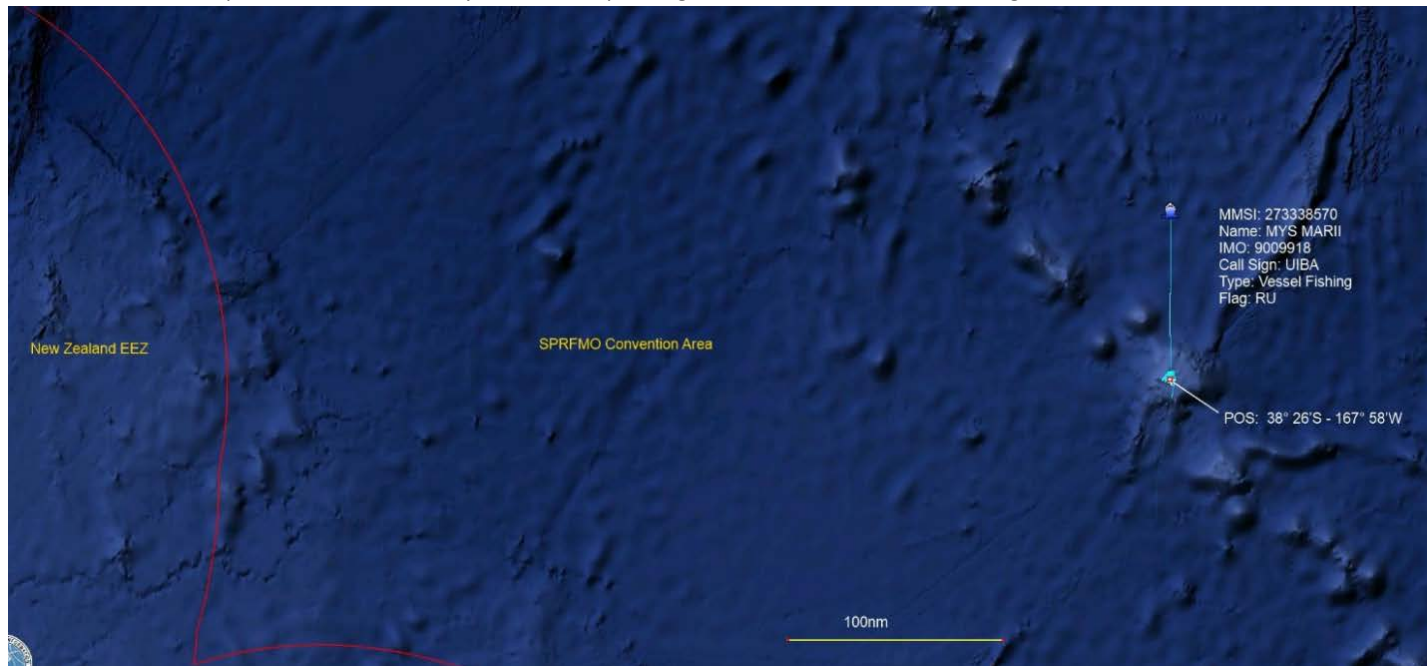


Chart 2 – close up of Chart 1 - AIS track for the *Mys Marii* exhibiting a pattern consistent with the setting and retrieval of longline between 16-21 February 2015



Based on the AIS data shown above and the fact that the *Mys Marii* was not authorised to fish in the SPRFMO Convention Area, MPI requested through the National Maritime Coordination Centre (NMCC) that a surveillance asset be deployed in order to collect further evidence of unauthorised fishing as soon as practically possible.

A P-3K2 Orion maritime surveillance aircraft was deployed to the area by the New Zealand Air Force on Saturday 21 February 2015 to conduct surveillance with the objective of gathering evidence of unauthorised fishing activity by the vessel *Mys Marii*.

2 Summary of aerial patrol

Saturday 21/2/2015 (all dates in NZDT)

1111

The P-3K2 arrived into the area where the vessel was known to be operating. P-3K2 collected evidence as follows:

1111-1330

- Two groups of buoys and associated radio beacons detected in the water behind the *Mys Marii* at 3nm spacing
- Buoys in the water appeared to have been marked with 'Mys Marii'
- Birds in vicinity of vessel observed
- IMO 9009918 displayed on vessel
- Men seen on deck at forward and bridge areas.
- Discharge observed from scuppers on the starboard side

- *Radio Hail from the P-3K2 with Master of the vessel*
 - o Master stated that vessel had engine problems, will remain in area for next 6 hours, was not fishing, had no gear in water, licensed for CCAMLR, 35.6 tonnes of Antarctic toothfish on board, next port Suva, Captain Andrei Parshutkin, half crew were Russian

- MPI requested P-3K2 try to confirm if buoys are being set and from stern, asked to obtain images of stern, any lines identified, gear in water in vicinity and colour of discharge.
- No setting of lines was observed from the vessel
- Cease fishing message given to Master which was acknowledged by vessel
- P-3K2 departed the area to return home

1338 – 1351

- Subsequent AIS data analysis carried out on-board P-3K2 showed *Mys Marii* had returned to buoys originally seen in the water that were marked with *Mys Marii*
- P-3K2 returned to obtain any evidence of *Mys Marii* hauling gear into the starboard well
- P-3K2 observed *Mys Marii* hauling into the vessel the same buoys and associated longline that was previously seen in the water between times 1111-1330
- once P-3K2 was seen by the fishing vessel the crew dispersed from well immediately
- Imagery collected, buoys identified as same as first reported on water
- P-3K2 returned to New Zealand

3 Summary of findings from aerial patrol and background information

1. The SPRFMO Secretariat has confirmed that the *Mys Marii* has not been authorised to fish in the SPRFMO Convention Area by its flag state the Russian Federation
2. Photo 1 shows that the vessel was using only bottom longlining (BLL) gear in the Ross Sea CCAMLR fishery prior to arriving into the Louisville Ridge area within the SPRFMO Convention Area. The vessel did not have an opportunity to change methods on route. It is highly likely therefore that the vessel was deploying BLL gear when operating in the Louisville Ridge area within the SPRFMO Convention Area.
3. Chart 1 shows the vessel was operating in a well-known region of productive seamounts
4. Chart 2 shows that the vessel tracks exhibited by the *Mys Marii* are consistent with fishing, (the tracking back and forth over the same area is typical of longline setting and retrieval) and this activity took place 16-21 February, 2015

5. The Master of the vessel Andrei PARSHUTKIN stated to the officer embarked on the P-3K2 when questioned by marine radio that the vessel was not fishing and was having mechanical problems.
6. Photo 2 show the *Mys Marii* locating and closing in on a set of deployed buoys and radio beacon that are attached to a bottom long line
7. Photo 3 shows a marking on one of the deployed buoys that reads *Mys Marii*.
8. Photo 4 shows *Mys Marii* manoeuvring into to haul the bottom longline
9. Photo 5 shows *Mys Marii* hauling the bottom long line gear from the starboard hauling door (below wheelhouse). The buoys and radio beacon are in clear view and match exactly those that were previously observed
10. Article 1 (g)(ii) of the SPRFMO Convention defines 'fishing' as "engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose"

4 Conclusion

Based on points 1-10 above it is the view of the Ministry for Primary Industries that the *Mys Marii* (UIBA) undertook unauthorised fishing in the SPRFMO Convention Area.

In addition to this, it is clear that the master of the vessel was well aware of his unauthorised activities as he stated on the radio to the Air Force officer that he was not fishing and was experiencing mechanical difficulties, which based on the above evidence was contrary to the case.

Annex A – photographic evidence

Photo 2 (left, taken 21/2/2015 @ 1208 NZDT) – *FV Mys Marii* approaching from a distance the set of buoys and associated fishing lines (in red circle). **Photo 3 (right, taken 21/2/2015 @ 1155 NZDT)** shows vessel markings on the floats indicating the letters '*Mys Marii*'

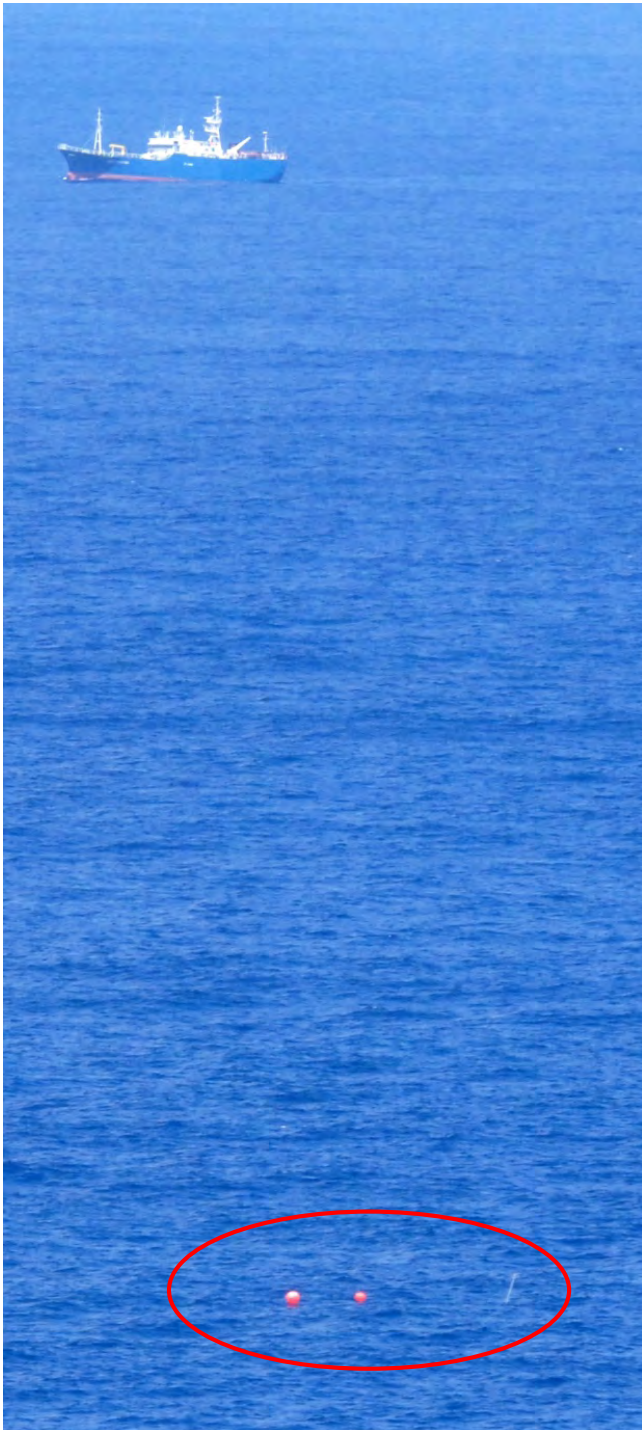


Photo 4 (21/2/2015 @ 1315 (NZDT) – FV *Mys Marii* coming alongside and manoeuvring to retrieve buoys and longlines before hauling them



Photo 5 (21/2/2015 @ 1325 (NZDT) – FV Mys Marii hauling radio beacon, buoys and longlines



CREW LIST «MYS MARIJ»

Name of ship, flag of ship: «Mys Marii», Russia
 Port of register: Sovgavan, 165
 IMO: 9009918

Type vessel, gross tonnage: Fishing vessel, 743
 Port departure from: Busan

No	Name	Rank	Nationality	Date of birth	Passport	Expiration date of passport
✓1	Parshutkin Andrei	Master	Russian Federation	17. Jan. 1965	71 0945348	08. Jun. 2020
✓2	Averochkin Denis	Chief mate	Russian Federation	10. Nov. 1970	71 5759251	15. Aug. 2021
✓3	Diodorov Valerii	Second mate	Russian Federation	14. Feb. 1960	64 2595168	26. Sep. 2015
✓4	Seleznev Dmitrii	Radioengineer	Russian Federation	05. Aug. 1970	64№2235420	17. Aug. 2019
✓5	Gorburinov Iurii	Chief engineer	Russian Federation	29 Sep 1963	64 2595304	21 Oct 2015
✓6	Gorburinov Vadim	Second engineer	Russian Federation	15. Aug. 1970	64№4689765	20. Oct. 2018
✓7	Molontev Sergei	Third engineer	Russian Federation	19. Jun. 1962	64 3835882	08. Jun. 2021
✓8	Garaabadzhiu Nikolai	Ref. Engineer	Russian Federation	03. Jul. 1961	72 5242224	04. Jul. 2023
✓9	Chirkov Vasilii	Ref. Machinist	Russian Federation	23. Feb. 1957	72 8579923	30. Apr. 2024
✓10	Dmitriev Artem	El. Engineer	Russian Federation	08. Aug. 1982	64 5326242	17. Dec. 2016
✓11	Brodskii Aleksandr	Chief trawl master	Russian Federation	28. Nov. 1954	64№2595068	14. Sep. 2015
✓12	Ivanov Petr	Trawl master	Russian Federation	18. Sep. 1964	64№6650494	23. Jan. 2018
✓13	Morozov Aleksandr	Chief factory manager	Russian Federation	08. Jun. 1958	64№5090667	13. May. 2016
✓14	Ri Sergey	Factory manager	Russian Federation	05. Sep. 1960	72 6939500	04. Dec. 2022
✓15	Markovets Ivan	Boatswain	Russian Federation	11. May. 1962	71 5672401	08. Aug. 2021
✓16	Kritchukov Ruslan	Cook	Russian Federation	26. Dec. 1978	64№5038690	15. Sep. 2016
✓17	Anosov Sergei	Scientific watcher	Russian Federation	01. Feb. 1971	72 8330077	10. Apr. 2024
✓18	Pestovskiy Taras	Scientific watcher	Ukraine	22 Sep. 1988	UK647179	01. Dec. 2019
✓19	JAJAT MUNAJAT	Sailor	Indonesia	12. Mar. 1978	A 4027452	12. Nov. 2017
✓20	IMAM SAFI	Sailor	Indonesia	11. Jun. 1983	A 6439270	13. Sep. 2016
✓21	SUTARNO	Sailor	Indonesia	05. May. 1975	A 4236952	15. Jan. 2018
✓22	BELVERD LATUPLTTY	Sailor	Indonesia	02. Dec. 1980	A 6358323	28. Aug. 2018
✓23	ANDI SYAHPUTRA SAGALA	Sailor	Indonesia	13. Sep. 1991	A 9167064	25. Sep. 2019
✓24	DWI BERTU SAPUTRA	Sailor	Indonesia	07. Dec. 1992	A 9167091	25. Sep. 2019
✓25	ANDI SURYATNO IRWAN	Sailor	Indonesia	17. Nov. 1995	A 9040101	03. Sep. 2019
✓26	MURDIN	Sailor	Indonesia	30. Jan. 1992	A 9167005	25. Sep. 2019
✓27	DAMIANUS FEBRIYANTO ANDRIAN LAY	Sailor	Indonesia	12. Feb. 1992	A 9167090	25. Sep. 2019
✓28	EDRIAL MOLA MAHU	Sailor	Indonesia	06. Jun. 1992	A 9167089	25. Sep. 2019
✓29	MOHAMAD BASIRUM	Sailor	Indonesia	09. Dec. 1993	A 9167006	25. Sep. 2019
✓30	REZA ANDIRA	Sailor	Indonesia	31. Dec. 1995	A 7565148	16. May. 2019

Master: _____ / Parshutkin Andrei/

Vessel details (sourced from CCAMLR vessel licence listing)

Owner: LLC Transit DV

Operator: LLC Transit DV

Call sign: UIBA

Built in Year: 1990

Registration Number: CF-0165

IMO Number: 9009918

Built at Location: Japan

Flag: Russian Federation Crew Count: 30

Beam: 8.70m

Gross Tonnage: 743.00t

Length: 49.56m

Engine Power: 712.00kW

Carrying Capacity: 379.00t

Fish Holds Capacity: 492.53m³

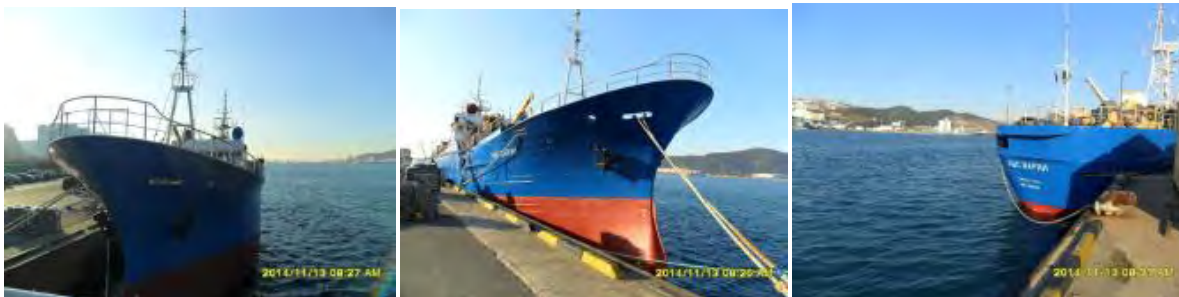
Fish Holds Count: 4

Fishing Master: Andrei Vladimirovich PARSHUTKIN

Fishing Methods: Bottom longline

Comms Details: INMARSAT C 427 306 336

Images shown on CCAMLR website;





26 March 2015

Vladimir Belyaev
Federal Agency for Fisheries of the Russian Federation
12, Rozhdestvenskiy Blvd
Moscow
RUSSIA

Dear Mr Belyaev

Subject: Evidence suggesting unauthorised fishing by a Russian vessel in the SPRFMO Convention Area

New Zealand recently conducted an aerial surveillance patrol and collected evidence suggesting the Russia-flagged fishing vessel *Mys Marii* (UIBA) was at that time fishing in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO) without authorisation.

New Zealand understands the vessel was in transit from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Area where it was licensed to fish during the 2014/15 season.

The *Mys Marii* was observed on 21 February 2015 by a New Zealand Air Force surveillance aircraft to the east of the New Zealand Exclusive Economic Zone (EEZ), an area that forms part of the SPRFMO Convention Area. This is a well known region of productive seamounts.

When hailed by radio the captain of the vessel, Andrei Parshutkin, stated that they were encountering engine problems and that they were not fishing. The surveillance aircraft departed the area after this initial interaction but returned a short time later to find the *Mys Marii* hauling aboard fishing gear.

The SPRFMO Secretariat has subsequently confirmed that the *Mys Marii* is not on the list of vessels authorised to fish in the SPRFMO Convention Area. As such the actions of the vessel seem to fall under the definition of illegal, unregulated and unreported (IUU) fishing set out in SPRFMO CMM 1.04.

We request that the Russian authorities investigate this matter and report back to the SPRFMO Secretariat at soon as possible.

Please find attached to this letter the preliminary investigation report. New Zealand intends to undertake further analysis in relation to this incident. The report will be finalised at a later date, and a copy shared with you at that time.

**Operations
Compliance**

Pastoral House, 25 The Terrace, Wellington 6140, New Zealand
Telephone: 0800 00 83 33, Facsimile: +64-4-894 0300

www.mpi.govt.nz

All correspondence in respect of this matter should be directed, in the first instance, to Andrew Wright, Senior Compliance Officer, Ministry for Primary Industries, Pastoral House, Wellington 6140, New Zealand or alternatively to andrew.wright@mpi.govt.nz

Yours sincerely



Dean Baigent
Director – Compliance, Ministry for Primary Industries

CC SPRFMO Secretariat
CC New Zealand Ministry of Foreign Affairs and Trade



23 September 2015

Dr Johanne Fischer
Executive Secretary
SPRFMO Secretariat
PO Box 3797
Wellington 6140
NEW ZEALAND

Dear Dr Fischer

Submission of information relevant to the establishment of the SPRFMO list of vessels presumed to have been engaged in illegal unreported and unregulated fishing in accordance with SPRFMO CMM 1.04

Please find enclosed information relating to the vessel *FV Mys Marii* which was detected in the SPRFMO Convention Area in February 2015.

New Zealand submits this information in accordance with CMM 1.04 as the information contained may be relevant for the establishment of SPRFMO's draft list of vessels presumed to have been engaged in illegal, unreported and unregulated fishing activities in the Convention Area. This is because the information appears to indicate that the *FV Mys Marii* was fishing for fishery resources while not being registered on the SPRFMO list of vessels authorised to fish in the Convention Area, contrary to CMM 1.04 (1) (a).

Yours sincerely



John Adank
SPRFMO Commissioner for New Zealand

Encl. 2

Information requirements pursuant to Annex 1 of CMM 1.04

1. Details of vessel

- i. Name of vessel and previous names
Mys Marii (previous name unknown)
- ii. Flag of vessel and previous flag
Russian Federation (previous flag unknown)
- iii. Name and address of owner of vessel and previous owners
Current owner
LLC Transit DV
(Company details unknown)
- iv. Operator of vessel and previous operators
LLC Transit DV
(Previous operator unknown)
- v. Call sign of vessel and previous call sign
UIBA (previous call sign unknown)
- vi. IMO number
9009918
- vii. UVI
See above IMO number
- viii. Photographs of vessel
See attached investigation report
- ix. Date vessel was first included on IUU list
Not applicable, does not appear on an IUU list
- x. Position of alleged IUU fishing activities
38° 26 S, 167° 58 W, located on 20/2/2015
- xi. Summary of alleged IUU activities

In response to information received through AIS data, the New Zealand Government deployed a surveillance aircraft on 21/2/2015 to the approximate location of the *Mys Marii* which was present in the SPRFMO Convention Area to the east of the New Zealand EEZ.

As a result of the surveillance activity carried out, photographic evidence was

gathered which showed that the *Mys Marii* was fishing at the time.

It was subsequently confirmed with the SPRFMO Secretariat that the *Mys Marii* was not authorised to fish in the SPRFMO Convention Area by its flag state Russian Federation.

xii. Summary of any actions known to have been taken in respect of the alleged IUU fishing activities

All information was subsequently transmitted to the Russian Federation, the New Zealand authorities requested that an immediate investigation be carried out into the matter. To date, no response has been received nor any results of any investigation.

xiii. Outcomes of actions taken

Not applicable, no actions have been taken as yet

2. Details of elements contravened

Item	Definition	Indicate
a	Engage in fishing for fishery resources and are not registered on the SPRFMO list of vessels authorized to fish in the SPRFMO Convention area.	<p>X – Item (a)</p> <ol style="list-style-type: none"> 1. The activity that the <i>Mys Marii</i> was engaged in at the time of detection can be defined as ‘fishing’ as per the Convention¹, evidence shown in the attached investigation report shows that the vessel was undertaking fishing at the time of detection. 2. The SPRFMO Secretariat confirmed to New Zealand that the <i>Mys Marii</i> was not authorised to fish in the SPRFMO Convention Area by the flag state and SPRFMO member Russian Federation. 3. Taking points 1) and 2) together, the actions carried out by the <i>Mys Marii</i> amount to unauthorised fishing in the SPRFMO Convention Area.

3. Associated documents

- I. Cover Letter to Russian Federation.
- II. Preliminary Investigation Report – detailing *Mys Marii* IUU fishing activities.

¹ (g) ‘fishing’ means (ii) engaging in an activity which can be reasonably expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose

4. Recommended Actions

Item	Recommended actions	Indicate
C	Recommended for inclusion on SPRFMO IUU list	✓



South Pacific Regional Fisheries Management Organisation

Final 2015 IUU List

Name of vessel	AURORA <i>(PACIFIC CONQUEROR)</i>	DAMANZAIHAO <i>(LAFAYETTE)</i>
Flag of vessel	Russian Federation <i>(Peru)</i>	Peru <i>(Russian Federation)</i>
Name & Address of Owner	Albatros Company Limited, ul. Portovaya 8, Korsakov 694020, Russian Federation <i>(Sustainable Fishing resources S.A.C.Calle Amador Merino Reyna No. 307 Piso 9 San Isidro, Lima, Peru)</i>	Sustainable Fishing resources S.A.C.Calle Amador Merino Reyna No. 307 Piso 9 San Isidro, Lima, Peru <i>(Investment Company KREDO LLC)</i>
Operator of vessel		
Call sign of vessel	UBR16	UDFI
IMO number	9179359	7913622
Other vessel identifier		
Photograph of vessel	Marine traffic image of AURORA	Marine Traffic image of LAFAYETTE
Date the vessel was first included in the IUU List	6 February 2015	6 February 2015
Summary of activities that justifies the inclusion of the vessel on the List, together with reference to all relevant documents informing of and evidencing those activities	Fishing in the SPRFMO Convention Area without authorisation (air photographs from New Zealand) and prolonged unauthorised presence in the SPRFMO Area (evidence from Chile).	Prolonged presence in the SPRFMO Area without authorisation and providing support to five authorised Peruvian trawlers according to evidence provided by Chile and Peru.

(Indicates former details)