

7th Meeting of the Compliance Committee (CC7)

Ravenala Attitude Hotel, Balaclava, Mauritius

28-30 June 2023

CC-07-04-rev1

SIOFA Draft IUU vessel list

SIOFA Secretariat

Document type	working paper ✔ information paper 🗆
Distribution	Public ✓ Restricted ¹ □ Closed session document ² □
Abstract	
0	CMM 2022/06, the Secretariat prepared the draft IUU vessel list to be ompliance Committee. 3 vessels are re-proposed on the Draft list according to isions in 2022.

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 $^{^{\}rm 2}$ Documents available only to members invited to closed sessions.



CC-07-04-rev1

Recommendations

• The Compliance Committee to examine the draft IUU vessel list and propose a Provisional IUU vessel list for consideration by the Meeting of Parties.

SIOFA Draft IUU vessel list

Vessels proposed for inclusion:

- IMULA 1655 MTR

- IMULA 1783 MTR

According to CC6 report, the 2 above mentioned vessels are reproposed on the draft IUU vessel list (CC6 report, para 58 & 59)

Several exchanges took place with Sri Lanka authorities and have been circulated previously in SIOFA Circular 2022/34 (annex I) and Circular 2023/18 (annex II).

- IMULA 1844 MTR

According to MoP9 decision (MoP9 report, paragraph 59) the Sri Lanka flagged F/V IMULA 1844 MTR is proposed on the draft IUU vessel list. This vessel was already on Draft IUU vessel list in 2022.

Several exchanges took place with Sri Lanka authorities and have been included:

- Annex I (SIOFA Circular 2022/34)
- Annex II (SIOFA Circular 2023/18)
- Annex III (Latest Exchanges with Sri Lanka, notably a request for removal from the draft IUU list).

The relevant CC and MoP discussions in 2022 are recalled here (annex IV, extract of CC6 and MoP9 report)

The information that was provided in 2022 for the 6th Compliance Committee Meeting (ref CC-06-01-rev2), is also re-provided here for reference (annex V)



CC-07-04-rev1

Detailed information for each vessel

Name and previous names, if any	Flag and previous flags, if any	Owner and previous owners, including beneficial owners, if any	Operator and previous operators, if any	Call sign and previous call signs, if any	IMO number, if any	Summary of activities which justify inclusion of the vessel on the IUU Vessel List
IMULA 1655 MTR	SRI LANKA	D.H.J.P. Chaminda Thushara	Unknown	MMSI 417165541	Unknown	 Engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels; engaged in fishing activities contrary to any other SIOFA CMMS
IMULA 1783 MTR	SRI LANKA	THARAKA PGD	Unknown	MMSI 417178341	Unknown	Engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels; engaged in fishing activities contrary to any other SIOFA CMMS
IMULA 1844 MTR	SRI LANKA	R. Roopasingahe	Unknown	MMSI 417184441	Unknown	Engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels; engaged in fishing activities contrary to any other SIOFA CMMS

CC-07-04-rev1-Draft-IUU-vessel-list

Annex 1



Ref. 30-06-2022/01-ES

La Réunion, Thursday the 30th June 2022

SIOFA Circular n° 2022-34

SUBJECT: Response from Sri Lankan Officials regarding the SIOFA draft IUU Vessel List

Dear Official Contacts,

Please find attached communication from Sri Lankan Official Contacts, which was received by the Secretariat on Wednesday the 29th of June 2022.

The letter and logbook entries was sent to the Secretariat in response to Circular 2022-29 (the transmission of the SIOFA draft IUU Vessel List), which includes three vessels flagged to Sri Lanka.

Yours sincerely,

Thierry CLOT

Executive Secretary SIOFA/APSOI



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : http://www.fisheriesdept.gov.lk E - mail : info@fisheriesdept.gov.lk புதிய செயலகம், மாளிகாவத்தை கொழம்பு 10, இலங்கை **கூற லே எத்து வில்லதே விருணுல்லை. வைதல் 10, இ தலைம்** New Secretariat, Maligawaththa, Colombo 10

2022 මමේ අංකය ස_පාලා ලිං Your Ref

Mr. Thierry Clot Executive Secretary South Indian Ocean Fisheries Agreement (SIOFA) La Reunion, France.

Dear Mr. Thierry Clot

Circular SIOFA 2022-29 Transmission of the SIOFA draft IUU Vessel List and Inclusion of three Sri Lanka tuna fishing vessels in the draft SIOFA 2022 IUU

This is in addition to the letter N0. 2022-DFO-SIOFA 2022 dated 20th April 2022 forwarded by Sri Lanka on the three vessels IMULA 1783 MTR, IMULA 1844 MTR and IMULA 1655MTR currently included to the IUU vessels list of SIOFA.

Sri Lanka would like to provide the catch data reporting log sheets of the two vessels IMULA 1783 MTR and IMULA 1655 MTR as a proving document to emphasise that the two vessels operated for tuna and tuna like species and has not engaged in other fishery. (Annex- I).

Sri Lanka kindly request from the compliance committee of SIOFA to remove the two vessels IMULA 1783 MTR and IMULA 1655 MTR, taking into consideration the provided information and the clarification given in the previous communication.

The vessel IMULA 1844MTR is prosecuting at courts(Case No is BR1425/22) and the log book is in the custody. The next trial date is 15/07/2022. Sri Lanka will report the penalties imposed on this vessel once the prosecution is over.

In future Sri Lanka will timely update the Sri Lanka vessels in the authorised vessels list before departure for fishing preventing same incidents in future.

I appreciate if you would circulate this letter among the members of SIOFA.

Thank You

Yours sincerely,

Kalyani Hewapathirana Director Fishing Operations For Director General

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29.07.2022

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Date

This Letter issued via document management and e signature management system of DFAR/ IT division @ 2019/20

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Daily Catch Data for a Fishing Trip - එක් ඉහිදු ගමනක් සිදහා මසුන් ඇල්ලීමේ දත්ත සටහන Maine of Skipper/Reporter කිය ඉඩා/ග විෂානයේ තම Departure Date මහත් වූ දිනය Arrival Date වැමිණ දිනය Boat Resistration Number යාමා පියාවදීම ආකය National යද්ශීය IMUL-A-1 மரின் இ வறையில் கிழுத்து விழுது	55 mm moture geo	යා්ජනය සඳහා
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Name of Skipper/ Reporter	Catch D	e	Arrival Date	and the second s			National දේශීය	IMUL-A- 1655 M		යෝජනය ස	3ඳහා
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D	aily Catch Data	for a Fishing	Trin - Am	l ane aand	සඳහා මස	හත් ආශ්රී	මේ දත්ත	සටහන		
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Signature of the Skipper - නිය මූවාගේ අත්සන Date - දිනය 2022/05 02 වැද	2mles		re and Stamp o IA/FO/Harbour M	f the Authorized Off	hcer	the			the second se	1866
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I WHILE SHULK & GS3D 38101 A	Hawksbill @Dum Green @moc Olive Ridley @D Loggerhead @down



Daily Catch Data for a Fishing Trip - එක් මුහුදු ගමනක් සදහා මසුන් ඇල්ලීමේ දත්ත සටහන 🤲	
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Annex 2



Ref: 2023-04-28-1/SIOFA-ES

Reunion Island, Friday 28th April 2023

SIOFA CIRCULAR n° 2023/18

Subject: Draft IUU Vessels List

Dear Heads of Delegations,

Dear Official Contacts,

In accordance with CMM 2022/06 paragraph 6, the Secretariat shall draw up a Draft SIOFA IUU vessel list and shall transmit it together with the current IUU list to all CCP as well as to non-contracting parties with vessels on the list.

The Secretariat hereby announces that there have been no new vessels added to the draft IUU list. Therefore, the current SIOFA IUU vessels list remains unchanged and is available for access through the following link:

https://siofa.org/sites/default/files/SIOFA-IUU-Vessels-List-2023-01-05.pdf

As a point of information, the Secretariat wishes to inform you that it has been in communication with the owners and governments of vessels suspected of engaging in illegal, unreported, and unregulated (IUU) fishing activities. Please find attached the correspondence with Sri Lanka's authorities regarding the IMULA 1783 MTR, IMULA 1844 MTR, and IMULA 1655 MTR (Annex I), as well as the communication with the owner of the South African vessel El Shaddai (Annex II) which are included in the SIOFA IUU draft list.

In line with CMM 2022/06 paragraph 7, any comments related to the Draft IUU List shall be transmitted to the Secretariat 40 days prior to the Meeting of the Parties, or prior to Wednesday the 24th of May 2023.

Should you have any questions or comments, please do not hesitate to contact the Secretariat.

Attachments :

- Annex I: Exchange with Sri Lanka's authorities concerning IMULA 1783 MTR, IMULA 1844 MTR and IMULA 1655 MTR
- Annex II: Exchange with the owner of South African vessel El Shaddai



Executive Secretary

Annex I



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

E - mail : info@fisheriesdept.gov.lk web site : http://www.fisheriesdept.gov.lk புதிய செயலகம், மாளிகாவத்தை கொழம்பு 10, இலங்கை **கை சில எத்தி கை எதில் காலக் 10, இ குடை New Secretariat, Maligawaththa, Colombo 10**

ඔරුම් අංකය මගත් අංකය දිනය } 20/04/2022 DFAR/DFO/SIOFA/2022 திகதி உமது இல எனது இல My Ref Your Ref Mr. Thierry Clot

Executive Secretary South Indian Ocean Fisheries Agreement (SIOFA) La Reunion France

Dear Mr. Thierry Clot

Inclusion of three Sri Lanka tuna long line fishing vessels in the draft SIOFA 2022 IUU vessel list 2022.

This is reference to your letter N0. 2022-04-06-01-ES dated 6th April 2022 on the above.

Department of Fisheries and Aquatic Resources Sri Lanka conducted an analysis on the three vessels IMULA 1783 MTR, IMULA 1844 MTR and IMULA 1655MTR) based on the AIS data provided. The vessel registration, Operation licenses Departure forms and the VMS track were inspected to find the reasons for inclusion of these vessels in the SIOFA draft IUU list 2022.

Description Vessel Name/Registration IMULA 1783 MTR IMULA 1655 MTR IMULA 1844 MTR Departure Port Mirissa Mirissa Mirissa **Fishing Authorization** High Seas **High Seas** Within EEZ Sri Lanka 22HS IMUL 2389 MTR 21HS IMUL1438MTR 21 EEZ IMUL12538MTR Fishing licence Number IOTC Authorized number 18106 18117 No Presence of VMS No yes yes Fishing Gear on board Drift Gill Net (<2.5) Drift Gill Net (<2.5) Drift Gill Net (<2.5) Catch landed Tuna and tuna like species managed by IOTC Catch recorded in the log

Our findings are as follows.

Note: The vessel registration and the VMS tracks are attached for your information.

531 P.O.Box

രോട്ട ട്രാമാതെ പെടും ക്രഞ്ഞെപ്പേടി +94(0)112446183 (2 lines) Gen. Telephone

தாலலந்தல +94(0) 112449170

This Letter issued via document management and e signature management system of DFAR/ IT division @ 2019/20



The all three vessels are duly registered fishing vessels of Sri Lanka as per the provisions of the Fisheries and Aquatic Resources Act No. 02, and present in the National Vessel registry of Sri Lanka. IMULA 1783 MTR and IMULA 1655 MTR are vessels operate for tuna fishing in high seas, Equipped with VMS on board and authorized at IOTC to operate in IOTC area of competence.

However the fishing vessel IMULA 1844 MTR is permitted to operate within EEZ of Sri Lanka and allegedly entered to High Seas. This Department investigated on this matter and has already taken actions to prosecute the vessel owner for deploying the vessel for high seas tuna fishing without a valid license, based on the electronic evidence (AIS track) provided by SIOFA.

S/N	Reg. Number / Vessel Name	Date of arrival to SL	Date of arrested	Initial Actions taken by DFAR	Legal Actions taken
01	IMUL-A- 1844 MTR	15.04.2022	15.04.2022	 (i) Detained the vessel after arrival to the port of SL and keep under the supervision of Department of Coast Guard (DCG). 	(i)Initiate court case in MC Matara under 14 F and 14 A sentences of FARA No. 2 of 1996 amended by FARA
	Mangala			(ii) Summon the skipper and crew to the head office, DFAR and	No.35 of 2013. Case No:
	alinit si no Sireng alin t			conduct and inquiry in the presence of the vessel owner.	BR 1425/22.
				(iii)Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.	(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.
			2005-200	(iii) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(iii) Next trial date 15/07/202 2

The summary of status of prosecution is as follows.

Sri Lanka nationals engage in tuna fisheries in the Western Indian Ocean from the ancient times, especially in the area of Saya de Malha Bank, close to the Mauritius. The gears they use are, long line and Gill nets. In the meantime Sri Lanka nationals have no interest of demersal fish species in high seas those comes under the scope of SIOFA. There are no catch recordings nor landing of such species by the vessels operate in the said sea area.

Sri Lanka being a member of IOTC authorize the vessels to operate in the high seas of the western Indian Ocean. Moreover the fisheries authority (DFAR) of Sri Lanka does not hesitate to take legal actions against the fishers who engage in IUU fishing activities violating the national legislations established in the country, based on the international conventions and regional resolutions.

In the section A, item (i) of the provided information by SIOFA, it is mentioned that "presence of the vessel in the immediate vicinity of the Saya de Malha Bank, indicating that the vessel may have been engaging in fishing activities falling under the purview of SIOFA".

த பெட்சு 🍃 531 பொது தொலைவேசி 🍃 +94(0)112446183 (2	lines) ຄາງຄາຍລະຫຼາຍສະຫຼາຍ +94(0) 112449170
	Fax

In the Section B, item (a), it is mentioned that "engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels and item (i) "engaged in fishing activities contrary to any other SIOFA CMMS".

We are have a question, how a vessel being in the area of SIOFA, indicates that the vessels engaged in fishing for the species comes under the scope of SIOFA without real time proven evidence. The DFAR checked the log sheets and the catch landed on arrival and found that no demersal species on board of the three vessels reported by SIOFA.

Sri Lanka is not a CCP and nor vessels of Sri Lanka are in the SIOFA Record of Authorized list, because Sri Lanka vessels are not harvesting the demersal species those manage by SIOFA. In the meantime Due to the late submission of the authorized list of vessels to IOTC Secretariat the two vessels IMULA 1783 MTR and IMULA 1655 MTR are not updated on the authorized list of IOTC. Since the vessel list has been submitted, the two vessels are now on the ALVs of IOTC bearing IOTC number 18106 and 18117 respectively.

I think this clarification is sufficient for you to proceed ahead in the SIOFA to remove the said vessels from the CIOFA draft IUU list based on our clarifications given. In the meantime I would like to bring to your kind notice that though the competent areas of the IOTC and SIOFA are overlapped The fisheries conducted are separate. Therefore without valid, real time, proven evidences it is not reasonable to recommend inclusion of fishing vessels operate in high seas for IUU listing. Sri Lanka is ready to communicate with any reporting country on the IUU fishing activities conducted by vessels fagged to Sri Lanka, to the resolve the issues bilaterally.

I affirm our commitment to combat the IUU fishing conduct by Sri Lanka fishing vessels in the region.

Thank you, Yours Sincerely,



g Quia

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Vessel Registration Certificate

Boat Registration No	IMUL-A-1783M1	rr
Certificate Serial No	09869	
Date of First Registration	13-Jul-20	
Vessel Material	FRP	
Year of Manufacture	2020	
Length	47.5 Feet	
Engine No	D6AZKJ 339511	Engine Type Daydong
Horse Power	247	
Boat Yard SEELANI BOAT	YARD	Boat Yard No. NSLB 217

Owner Details

NameAddressNational IDEffective DateTHARAKA PGD-, POLKORATUWA WATTA, YATIPILA,
MIRISSA953521717V13-Jul-20

Insurance No FB/089/18551/2020

1. Port Name Mirissa Beach 2. Port Name Not available

Date 2020 /04/18

For Director General Department of Fisheries and Aquatic Resources

Insurance Date

Registration Certificate recieved

U. A. Hettiarachchi Coheries Officer Dept of Fisheries & Aquatic Resources

Signature of Applicant

Management Division - Vessel Registry Unit Sunday, April 17, 2022

03-Jul-20



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1 වැනි කොටස / பகு 🕤 I / PART 1

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1.	ദ്രന്ഥട്ട∂് നംതര/ശാളാശ്ലാത്ര பதிவிலக்கம்/ படனின் பெயர் Registration No./Name of Boat		IMULA1844M	ITR		IMULA1844M	IMULA1844MTR			
2.	இලீன்⊌ டேவும்&ூ வரு தேவ முதல் முறையாக பதிவு செய்யப்பட் Date of First Registration	ட திகதி	05/11/2021							
3.	வனூலை வெல்./ மீன்பிடிக்கலம் ப	<u> பற்றிய விப</u>	ரங்கள்/ Des	scriptio	n of the Fishin	g Craft:				
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(4 1) (@)	ຍັດແຜ ຄະເຫຣ Type of Craft		IMUL			லே கல சகுரு சுலத்தின் நீலமும் அ d width of craft	கலமும்	46.98 Ft		
1000	(ඉ) කියාකරවන පන්දම (හබල්, රූමල්,	(ඊ) යාන්ති	ක නම් / (201) (දු	றயந்தி	ரமயமாயின் ,	/ (f) If motorized				
	வரித்துக்கலை) (உ) செயல்படுத்தும் முறை (துடுப்பு, பாய், இயந்திரம்) (e) How Propelled (oar, sail, engine)	இயற்தி	(i) එන්ජින් අංකය / இயந்திரத்தின் இல. / Engine Number:		ඊගය / ഖණக 'ype:	(iii) අස්ව බලය / (iv பரிவலு / Horse power: 230HP Die		ാല്യാ തർമ്മ ഉജ് പ്രമ ർഗഗ / ന്തിക്കല്ലഎൻ ദിവെന്ത്രണ് / Fuel ed:		
		D6AUS-1334	166	INBM						
(st) (g) 5. (ມູຊາຊີຜູ້ວ່າຍອາດ ຫາ ຈຸຊັມລາຍີ (ທາສາດສາ ຜາຊື இடப்பெயர்ச்சியும் இடவசதியும் Displacement and Space (No of Crew ລິຍວິດ ລະລາດ໌ຣ໌ / ສະຫຼັງດິຫຼາງມີຄຳ ຂະບອກ Fishing Equipment	()	NET HAULE		/ Boatyarc 6. යානුංබරණ	 ආකය / வள்ளச்சாலை Number கல கன்லிலேனே උපක மம் மற்றும் தொடர்பு ச	రతు/	47RBM08 SSB, SATTELITE NAVIGATOR, DEPTI		

II റുതി തോറ്പ് പക്രളി II / PART II

	අகி கியல், 886 சி. 24 கி. 2 கிடையாளர்	ர் பற்றிய விபரம்/ Description	of Owner
1./2.	குகிகிகைகள் கிஜல்க கூடு / உரிமையாளரின் முழுப்பெயர் / Full Name of the Owner	ජාතික හැදුනුම්පත් අංකය / தே. அ. அ. இல. / N.I.C. Number	ලිපිනය/ முகவரி/ Address
	R.Roopasingahe	673193935V	216,Badugoda,Mirissa south
3.	ப்ஙீகள் மலதியைக் ¢ மன் எல பீன்னேல் மை ஜீலை / காப்புறுதிப் பத்திரத்தின் இலக்கமும் காப்புறுதி செய்யப்பட்ட திகதியும்/ Insurance Policy No. and Date of Insurance		
4.	രായാദാശേജ് ശാത്രാല് തലതാ തയ്തെ ദേശാനം ഖുത്രത്ഥയുടെ മീൽവിയുക്കാൻ ന്രിത്രുള്ളി തലക്കല്ലന്രിയ ത്രപ്പർ Normal place where the craft is kept	Matara	Mirissa Fisheries Harbour

අஜ'வை / கையொப்பம் /Signature

අයිනිශරු/உரிமையாளர் / Owner

ര്യാജ്ച് ട്രോഗ്യ്/ பணிப்பாளர் நாயகம்/ Director General ධිවර හා ජලජ සම්පත් දෙසාර්තමේන්තුව கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம் Department of Fisheries and Aquatic Resources

05/11/2021

තිකුත් කල දිනය வழங்கப்பட்ட திகதி Date of Issue





ஃபேச் வுச்சு விசை எதேவில் விருக்கு விரு விருக்கு விருக்கு விருக்கு விருகு

1 ലൂടി മോലം / പക്രട്ടി I / PART 1

1.	പ്രകാട്ട്-മ് പ്രതംഗത്താംല് തര് பதிவீலக்கம்/ படகின் பெயர் Registration No./Name of Boat		IMULA1655M	TR	IM	IMULA1655MTR		
2.	මුලින්ම ලියාපදිංචි කල දිනය முதல் முறையாக பதிவு செய்யப்பட் Date of First Registration	ட நிகதி	13/12/2021					
3.	வுதுலை செவல்:/ மீன்பிடிக்கலம் ப	<u>ற்றிய விப</u>	ரங்கள்/ Des	cription of the Fishi	ng Craft:			
(শু)	ஜை ஜைல மூறில் வர்கு குடித்து கலத்தின் உடல் செய்வதற்காக பாவி மூலப்பொருள் Material used for construction of hull	க்கப்பட்ட	Fibre	(ஷ) கூදන அ (ஆ) நிர்மான (b) Date of c	ளிக்கப்பட்ட 🖟	1.5 1.5	2021	
(@)) ഉര്ത്ത ഞഞ്ഞ Type of Craft		imul			லமும் அகலமும் aft	47.18 Ft	
	(ඉ) කියාකරවන අන්දම (බෙල්, රුවල්,	(ටී) යාන්ති:	ක නාම / (2011) (இயந்திரமயமாயின்	/ (f) If motori	ized		
	மன்தூல்ச்சுலி (உ) செயல்படுத்தும் முறை (துடுப்பு, பாய், இயத்திரம்) (e) How Propelled (oar, sail, engine)		രുതൾ / റുട്ടികിൽ இல. Number:	(ii) චර්ගය / ඛනාස / Type:	(iii) අය්ව බ பரிவலு power:	/ Horse ខ ដា ជា	ல்லே කරන ඉන්ධන 5மம / ாவிக்கப்படும் ரிபொருள் / Fuel sed:	
		DE08 MWMC	1 177203	INBM	230PS	Diesel		
(ল)	 ஒகிம்ப்பசைம ஸ ஓவகைப் (னுனிமன் ப-ல இடப்பெயர்ச்சியும் இடவசதியும் Displacement and Space (No of Crew	-			අംശര / ഖണ്ണ d Number	ாச்சாலை இலக்கம்	NSLB - 367	
5. 6	பேப் _C மைல் / கடற்றொழில் உபகரல Fishing Equipment		NET HAULE	R கடற்பயன	ாம் மற்றும் ெ	දන උපකරණ් / தாடர்பு சாதனம் / ation equipment	RADAR, SATTELITE NAVIGATOR, SSB	

II ലൂട് മോറം / പക്രള് II / PART II

1./2.	ദ്ദങ്ങിയരുടെ മാട്ടപ്പറ്റ് മെന്റിക്കെയന്നണ് നിൽ ശ്രശ്നവിലന് / Full Name of the Owner	ජාතික හැදූනුම්පත් අංකය / தே. அ. அ இல. / N.I.C. Number '	ලිපිනය/ ගුසභාවා/ Address
	D.H.J.P.Chaminda Thushara	752962367v	229/C,Miriyawella Road,Mirssa
3.	റ്ത്തേ പ്രതിതരം എതര മയ റത്തോം തള දිනය / ക്നല്പത്രിങ്കില ലള്ളിന്റള്ളിൽ ത്ലഖക്കുളർ ക്നല്പയുളി செய்யப்பட்ட திகதியும்/ Insurance Policy No. and Date of Insurance		

	Insurance Policy No. and Date of Insurance			
4.	ലാളാതാരേത് പാതാല തലത്ത തര്ത്ത മഠ്രതര ഖുന്നെഥ്നങ്ക ഥീൽപ്പിലുക്കരുഥ ത്രിതുള്ളി തരിക്കല്പത്രിഥ இடம் Normal place where the craft is kept	Matara	Mirissa Fisheries Harbour	

අත්සන / கையொப்பம் /Signature අයිතිකරු/உரிமையாளர் / Owner

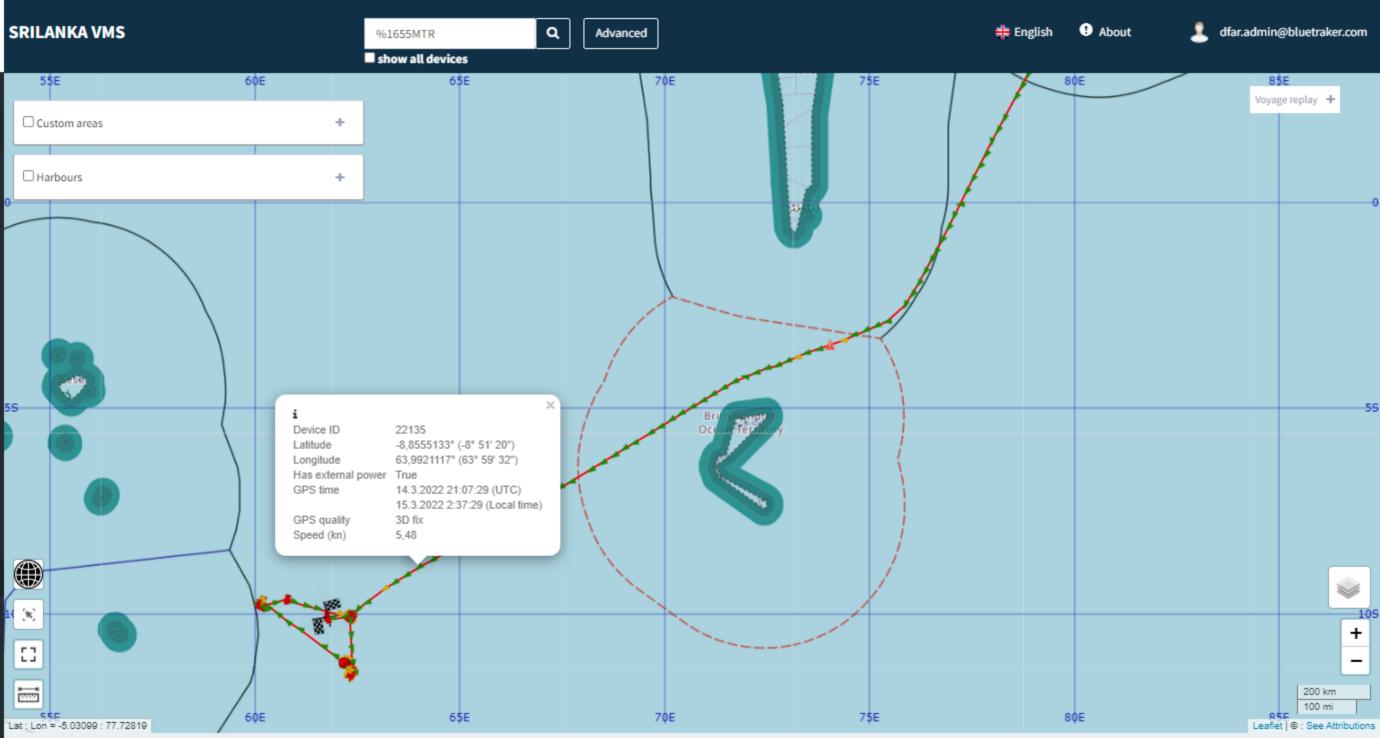
Mahnto

2ப்கன்க ජනරාල්/ பணிப்பாளர் நாயகம்/ Director General வீச்ச ஸ ச்குச் கூச்சங் சுசல்க்கேன்றும் கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம் Department of Fisheries and Aquatic Resources 13/12/2021

லிஷன் கரு சேலை வழங்கப்பட்ட திகதி Date of Issue



3/12/2021



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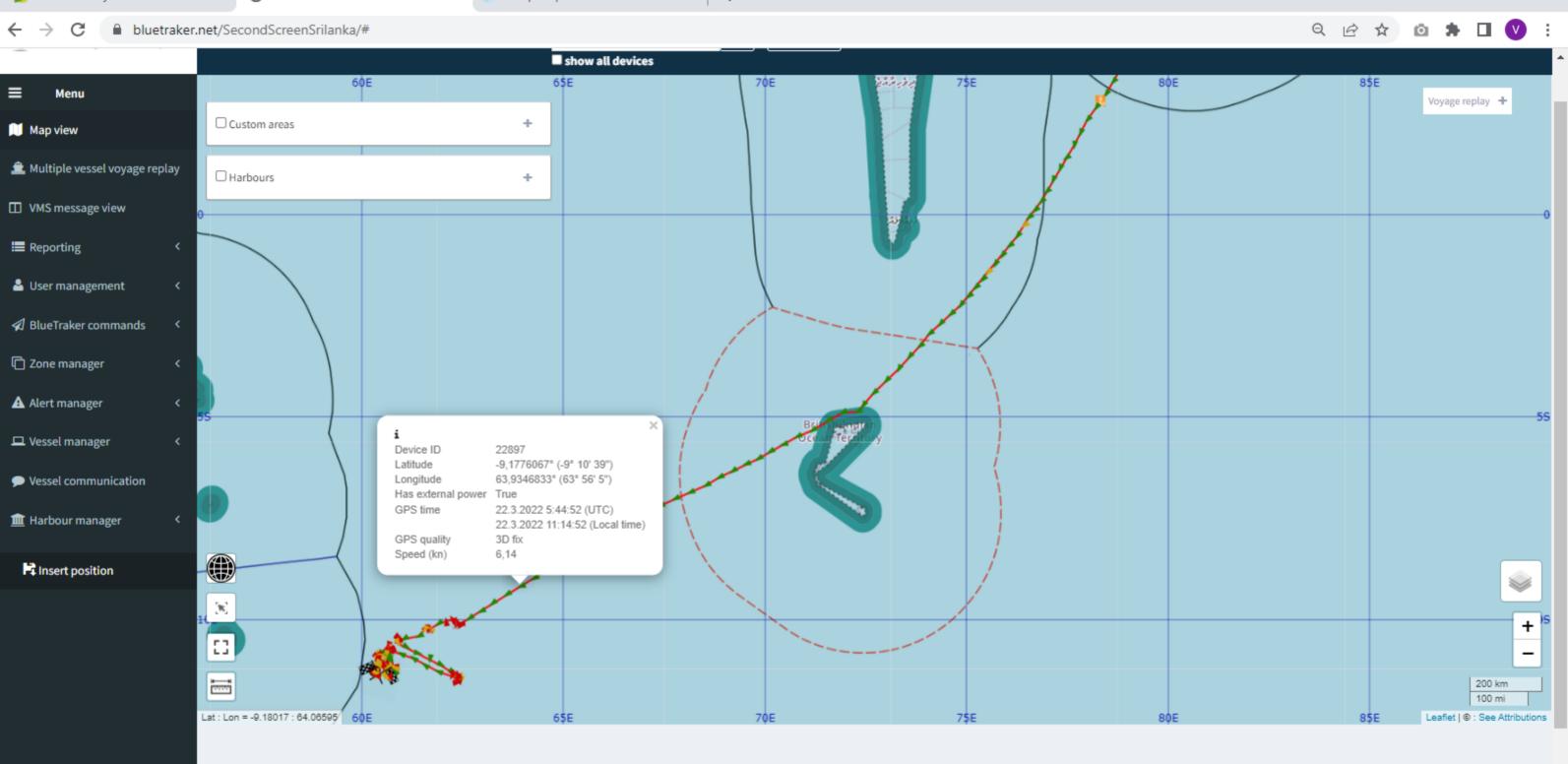
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De : liz <<u>liz@braxtonshipping.co.za</u>> Envoyé : samedi 15 avril 2023 16:16 À : Johnny Louys Cc : 'Nomura Ichiro'; <u>inomura75@gmail.com</u>; thierry.clot; SIOFA secretariat Objet : RE: ENQUIRY ON PROCEDURE TO REMOVE VESSEL FROM IUU LIST

Dear Mr Louys

Thank you for prompt response.

Have a blessed weekend.

Regards

Liz

Sent from my Galaxy

------ Original message ------From: johnny.louys@siofa.org Date: 2023/04/14 18:21 (GMT+02:00) To: liz@braxtonshipping.co.za Cc: 'Nomura Ichiro' <<u>ichiro_nomura470@maff.go.jp</u>>, <u>inomura75@gmail.com</u>, <u>thierry.clot@siofa.org</u>, 'SIOFA secretariat' <<u>secretariat@siofa.org</u>> Subject: RE: ENQUIRY ON PROCEDURE TO REMOVE VESSEL FROM IUU LIST

Dear Liz,

Thanking you for yours below.

Please be advised that pursuant to our Conservation and Management Measure on the Listing of IUU Vessels (CMM 2022/06), only the flag state of the vessel may request the removal of the El Shaddai provided that:

- (a) the vessel did not engage in any of the IUU fishing; or
- (b) effective action has been taken in response to the IUU fishing in question, including, inter alia, prosecution, and imposition of sanctions of adequate severity; and
- (c) the vessel is able to comply with all relevant and adopted SIOFA CMMs.

Further to the above, the flag state may request the removal of the vessel from the IUU Vessel List, including during the intersessional period, provided that the above conditions are met and more specifically by submitting suitably documented information that:

- (a) it has adopted measures that will ensure that the vessel complies with all relevant and adopted CMMs; and
- (b) it is and will continue to assume effectively its responsibilities as regards the monitoring and control of the vessel's fishing activities in the Area; and either
- (c) it has taken effective action in response to the IUU fishing that resulted in the vessel's inclusion in the IUU Vessel List, including prosecution and imposition of sanctions of adequate severity; or
- (d) the vessel has changed ownership and that the new owner can establish that the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it, and that the new owner has not participated in IUU fishing.

Remaining available should you have any further queries or require any further assistance on same.

Johnny Louys Compliance Officer | Southern Indian Ocean Fisheries Agreement (SIOFA/APSOI) (p): +262 (0) 693 44 35 35 (e): johnny.louys@siofa.org </ DAAF, Bätment B, Parc de la Providence



From: liz@braxtonshipping.co.za <liz@braxtonshipping.co.za > Sent: Friday, April 14, 2023 1:32 PM To: secretariat@siofa.org Subject: RE: ENQUIRY ON PROCEDURE TO REMOVE VESSEL FROM IUU LIST

Dear Sir/Madam

I trust this mail finds you well.

My name is Liz Sher, I am the owner of Braxton Security Services cc t/a Braxton Shipping based in South Africa who owns and operates MFV EL SHADDAI.

I herewith request information regarding the procedure to remove the El Shaddai from the SIOFA IUU list.

Your assistance in this matter is greatly appreciated

Yours Faithfully Regards Liz Sher BRAXTON SHIPPING TEL: 0027 31 202 2167 FAX: 0027 86 619 4765 Cell: 0027 82 881 3435

Annex II

Annex 3



ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : http://www.fisheriesdept.gov.lk E - mail : info@fisheriesdept.gov.lk പ്രളിധ രെഡരെടക്, ഥൗണിങന്മെക്കുള്ള ക്രെയ്യപ്പെ 10. ത്രരത്തെ **കെ രക്തി തെരുക്ക് തെരുമെ ഇര്യാമത്ത, തോളമി 10. § രംതാമി New Secretariat,Maligawaththa, Colombo 10**

ගේ ආකය ඔරුව් ජංකය DFAR/DFO/SIOFA/2023-1 ചബച്ച இல My Ref உமது இல Your Ref

Mr. Thierry Clot Executive Secretary South Indian Ocean Fisheries Agreement (SIOFA) La Reunion, France.

Dear Mr. Thierry Clot

Ref: 2023-03-22-1.SIOFA/ES

Update of the status of legal actions taken against the Sri Lanka Vessel IMULA 1844 MTR

This is reference to your letter dated 22nd March 2023 requesting further information on the investigations conducted on the Sri Lanka fishing Vessel, IMULA 1844 MTR. The relevant information is provided in the table given below.

Date of arrival to Sri Lanka	Initial Actions taken by DFAR	Legal Actions taken	Current Status
15 th April 2022	 (i)Detained the vessel after arrival to the port of SL and keep under the supervision of Department of Coast Guard (ii)Summon the skipper and crew to the District office Matara, DFAR and conduct and inquiry in the presence of the vessel owner. (iii)Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. 	(i) Prosecuted in the Magistrate Courts of Matera District as per the section 14 (A) of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: BR/1425/22 on the date of 18.04.2022	 i)At the trial conducted on 15th July 2022, the accused pleaded guilty and agreed to settlement under the 52 (B) of FARA No. 2 of 1996. (ii) Administrative penalty SLR 500,000 has imposed. ii) The administrative penalty SLR 500,000 is paid. (receipt attached- Annex –I) iii) Case is over. Suspensions lifted

Sri Lanka draw your attention to the previous letter sent on the date of 20th April 2022 on this regard (copy attached – Annex –II) and kindly request from the compliance committee of SIOFA to remove the three vessels IMULA 1783 MTR and IMULA 1655 MTR and IMULA 1844 MTR from the draft IUU list.

I appreciate if you could table this letter at the next compliance committee of SIOFA.

Thank You

Yours sincerely,

Susantha Kahawatt Director General

Department of Fisheries and Aquatic Resources

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திகதி Date **6** 0. 04. 2023

Annex 4

Extract of CC6 report about IMULA 1655 MTR and IMULA 1783 MTR

57. In relation to the IMULA 1655 MTR and the IMULA 1783 MTR,

a. The Executive Secretary informed the Compliance Committee that Sri Lanka notified the Secretariat on the first day of the Compliance Committee meeting that the two vessels were targeting tuna and tuna-like species and have not engaged in other fisheries, and submitted the logbooks of the vessels. The Cook Islands noted that it was unclear whether the flag state had verified the logbook information.

b. The European Union noted that the logbook information for IMULA 1655 MTR submitted by Sri Lanka suggested that the vessel has violated IOTC regulations including in relation to mobulid rays.

c. The European Union noted that the logbook information for IMULA 1783 MTR submitted by Sri Lanka is not consistent with the AIS tracking that the European Union has provided to SIOFA and wished to receive information from Sri Lanka that would clarify this discrepancy.

d. The European Union and the Cook Islands noted that there was insufficient information to conclude that the vessels have not been targeting SIOFA species and recalled that it is the responsibility of the flag CCPs to confirm that no IUU fishing took place.

58. The Compliance Committee noted that the IMULA 1655 MTR and the IMULA 1783 MTR are not on the SIOFA record of authorised vessels and were presumed to have engaged in fishing within the SIOFA Area. However, some CCPs considered that the matter falls in the IOTC jurisdiction and is outside the SIOFA responsibility. The Compliance Committee could not reach consensus to include the IMULA 1655 MTR and the IMULA 1783 MTR on the provisional SIOFA IUU vessel list.

59. The Compliance Committee agreed to retain the vessels on the draft SIOFA IUU vessel list for its consideration at its next meeting and requested Sri Lanka to provide further information such as observer data, port inspection reports, landing/sale notes, and transhipment declarations.

54. Regarding the IMULA 1844 MTR, some CCPs were of the view that there was a lack of evidence to indicate that the vessel targeted SIOFA fishery resources, that Sri Lanka has taken effective action by prosecuting the vessel, and that the vessel should remain on the Draft SIOFA IUU Vessel List to give Sri Lanka more time to provide further information to SIOFA. Other CCPs were of the view that it is the responsibility of the flag State to prove that a vessel suspected of IUU fishing has not done so, that Sri Lanka has not provided adequate information to SIOFA despite being given much time to do so, that it is not clear if the vessel is being prosecuted in relation to the presumed case of IUU fishing or an unrelated matter, and that the vessel has not met the conditions for removal from the Provisional IUU Vessel List as provided in paragraphs 14 and 15 of CMM 2018/06 (IUU Vessel List).

55. The Meeting of the Parties requested the Secretariat to contact Sri Lanka and encourage it to provide the relevant information.

56. The Secretariat contacted Sri Lanka and received the reply that Sri Lanka was unable to attend the meeting because of a scheduling conflict and that the charge that has been brought against the IMULA 1844 MTR is "Conducting fishing operations without a valid fishing operation in high seas".

57. Some CCPs were in favour of including the vessel on the final SIOFA IUU Vessel List. One CCP objected to the inclusion.

58. The Meeting of the Parties was unable to reach consensus to include the IMULA 1844 MTR on the final SIOFA IUU Vessel List.

59. The Meeting of the Parties noted that the IMULA 1844 MTR would remain on the Draft SIOFA IUU Vessel List for consideration by the Compliance Committee at its next meeting.

Annex 5



Ref: 2022-04-06-01-ES

La Réunion, Wednesday 6th April 2022

Ms Susantha KAHAWATTA

Director General Department of Fisheries & Aquatic Resources New Secretariat Maligawahththa Colombo 10 SRI LANKA

Dear Ms Kahawatta,

I hope you are well despite the difficult global health situation.

The purpose of this letter is to inform you of the inclusion of the following vessels: IMULA 1783 MTR, IMULA 1844 MTR and IMULA 1655 MTR, all flying the flag of Sri Lanka, in the draft SIOFA 2022 IUU vessel list.

Please find attached a copy of the relevant information duly documented and the notification of its relevance to the draft SIOFA IUU Vessels List (Appendices A to C).

Please, could you acknowledge receipt of this letter and provide any comments from SRI LANKA on this matter.

In accordance with paragraph 7 of the CMM 2018-06, any comments on the draft IUU list shall be transmitted to the Secretariat at least 40 days before the ordinary meeting of the parties by 20 May 2022, where appropriate, including verifiable evidence and other supporting information, showing that the vessels included in the draft IUU list have neither operated in violation of the SIOFA CMM nor had the opportunity to engage in fishing for fisheries resources in the Agreement Area.

In accordance with paragraph 8 of the CMM 2018-06, the Secretariat requests that you inform the vessel owner of its inclusion in the draft IUU vessel list, and of the consequences of confirming its inclusion in the IUU vessel list.

The Secretariat will gladly inform you of any new elements at its disposal.

Sincerely yours,

Thierry CLOT

Executive Secretary SIOFA/APSOI

> Southern Indian Ocean Fisheries Agreement (SIOFA) Accord relatif aux Pêches dans le Sud de l'Ocean Indien (APSOI)

Batiment B, Parc de la Providence, 97489 Saint-Denis Cedex, La Réunion, France <u>thierry.clot@siofa.org/www.apsoi.org/</u>Tel:+262 693 444 495

SIOFA Reporting form for Vessels Presumed to be Carrying Out IUU Activities

A. Details of Vessel

Please provide the following details for each vessel presumed to have carried out IUU fishing in the Agreement Area:

Item	Description	Details
(a)	Name and previous names, if any	IMULA 1783 MTR
(b)	Flag and previous flags, if any	SRI LANKA
(c)	Owner and previous owners, including beneficial owners, if any	Unknown
(d)	Operator and previous operators, if any	Unknown
(e)	Call sign and previous call signs, if any	MMSI 417178341
(f)	IMO number, if any	Unknown
(g)	Photographs, where available	Unavailable
(h)	Date first included on the IUU Vessel List, if applicable	n/a
(i)	Summary of activities which justify inclusion of the vessel on the IUU Vessel List, together with references to all relevant documents informing of and evidencing those activities Please also complete Section B below	AIS data of the fishing vessel 'IMULA 1783 MTR' in the period from 1 January to 31 March 2022 (see screenshots in Annex 1) displays the presence of the vessel in the immediate vicinity of the Saya de Malha Bank, indicating that the vessel may have been engaging in fishing activities falling under the purview of SIOFA. SRI LANKA is not a CCP to SIOFA and the fishing vessel 'IMULA 1783 MTR' is not on the SIOFA Record of Authorised Vessels. The vessel is also not registered with IOTC.

B. IUU fishing activities

Please indicate which IUU activities, as listed in paragraph 5 of CMM 2018/06, the vessel identified in Section A is presumed to have carried out in the Agreement Area:

Item	Description	Indicate
(a)	engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels;	
(b)	engaged in fishing for fishery resources in the Agreement Area, in contravention of the vessel's fishing licences, authorisations or permits, or after its flag State has exhausted its quota/s, catch limit or effort allocation established by SIOFA CMMs	
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	
(d bis)	fished for, retained on board, transshipped or landed fisheries resources subject to a moratorium or the retention of which is prohibited by SIOFA	
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	
(g)	transshipped or participated in other operations, such as joint-fishing, transfers at sea of fuel, crew, gear or any other supplies, either as an unloading or receiving vessel, with vessels included in the IUU Vessel List	
(h)	engaged in fishing for fishery resources, transshipment or other operations such as joint-fishing, resupplying and refueling operations in the Agreement Area having intentionally falsified or concealed their markings, identity or registration	
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	\boxtimes
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	

C. Supporting Evidence

List here the associated documents that are appended.

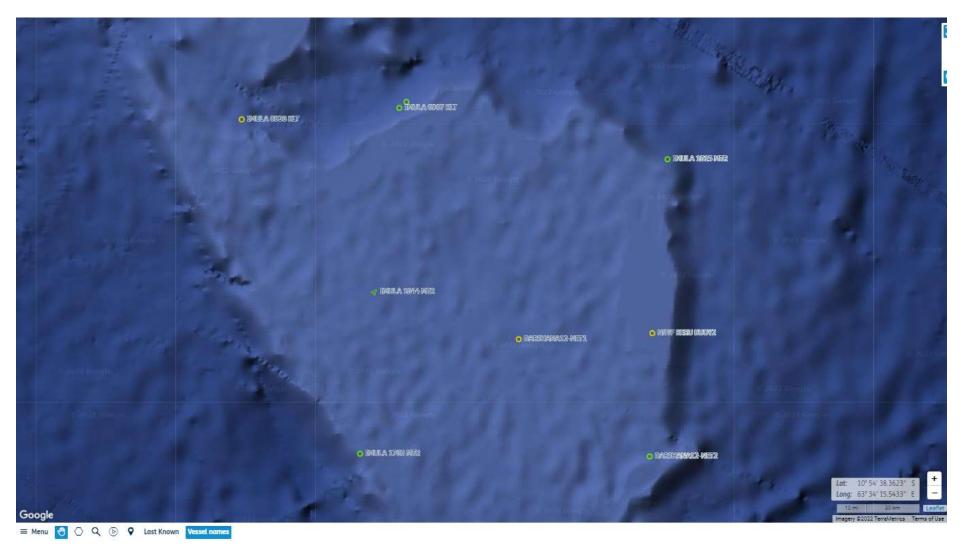
Annex 1 – AIS tracks of fishing vessel 'IMULA 1783 MTR' (screenshots 1-2)

D. Recommended Actions

Re	Recommended Actions			
а	Notification to SIOFA Secretariat only. No further action is recommended.			
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	\boxtimes		
с	Recommended for inclusion on SIOFA IUU list	\boxtimes		

Annex A-1 - AIS tracks of fishing vessel 'IMULA 1783 MTR'

Q Ve	essel alert	🗸 Area alert 🛛 🖿	Arrival alert 🤣 Track vess	els 🗈 Sove vess	els 🕢 Add to watchlist	🖺 Save	search	TO Clear search
All re	suits 🧕					Show	ng 40 🗸	items per page
							Change	e Columns 🗸
	th omi	Name J†	Status 🕼	Riag Jî	Vessel Type 🕼	Built 11	DWT 11	Destination
0	κ	IMULA 1844 MTR	tive.	Sri Lanka	fishing (general)		×.	
٥	8	IMULA 0907 KLT	• Live	5ri Lanka	Vessel Type (unspecified)	8	8	8
0	8	IMULA 0928 KLT	• Live	5ri Lanka	Vessel Type (unspecified)	2	5	<u>*</u>
0	2)	IMULA 1815 MTR	• Live	Sri Lanka	fishing (general)	2	¥.	2) 9
0	×.	IMULA 1655 MTR	• Live	Sri Lanka	Vessel Type (unspecified)	¥	8	×
0	*	IMULA 1783 MTR	• Live	5ri Lanka	fishing (general)	*	8	*
۵	÷.	DARSHANA12-NET2	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	2	5	5
D	â)	N/P/F BERU BUOY2	Unconfirmed Existence	5ri Lanka	Vessel Type (unspecified)	ä.	¥.	£)
٥	2	DARSHANA12-NET1	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	ŝ.	8	2



ANNEX B: IMULA 1844 MTR

SIOFA Reporting form for Vessels Presumed to be Carrying Out IUU Activities

A. Details of Vessel

Please provide the following details for each vessel presumed to have carried out IUU fishing in the Agreement Area:

Item	Description	Details
(a)	Name and previous names, if any	IMULA 1844 MTR
(b)	Flag and previous flags, if any	SRI LANKA
(c)	Owner and previous owners, including beneficial owners, if any	Unknown
(d)	Operator and previous operators, if any	Unknown
(e)	Call sign and previous call signs, if any	MMSI 417184441
(f)	IMO number, if any	Unknown
(g)	Photographs, where available	Unavailable
(h)	Date first included on the IUU Vessel List, if applicable	n/a
(i)	Summary of activities which justify inclusion of the vessel on the IUU Vessel List, together with references to all relevant documents informing of and evidencing those activities Please also complete Section B below	AIS tracks of the fishing vessel 'IMULA 1844 MTR' in the period from 1 January to 31 March 2022 (see screenshots in Annex 1-3) display substantial activities on the shallow waters of the Saya de Malha Bank, indicating a very significant probability that the vessel was engaging in fishing activities falling under the purview of SIOFA. SRI LANKA is not a CCP to SIOFA and the fishing vessel 'IMULA 1844 MTR' is not on the SIOFA Record of Authorised Vessels. The vessel is also not registered with IOTC.

B. IUU fishing activities

Please indicate which IUU activities, as listed in paragraph 5 of CMM 2018/06, the vessel identified in Section A is presumed to have carried out in the Agreement Area:

Item	Description	Indicate
------	-------------	----------

(a)	engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels;	\boxtimes
(b)	engaged in fishing for fishery resources in the Agreement Area, in contravention of the vessel's fishing licences, authorisations or permits, or after its flag State has exhausted its quota/s, catch limit or effort allocation established by SIOFA CMMs	
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	
(d bis)	fished for, retained on board, transshipped or landed fisheries resources subject to a moratorium or the retention of which is prohibited by SIOFA	
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	
(g)	transshipped or participated in other operations, such as joint-fishing, transfers at sea of fuel, crew, gear or any other supplies, either as an unloading or receiving vessel, with vessels included in the IUU Vessel List	
(h)	engaged in fishing for fishery resources, transshipment or other operations such as joint-fishing, resupplying and refueling operations in the Agreement Area having intentionally falsified or concealed their markings, identity or registration	
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	\boxtimes
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	

C. Supporting Evidence

List here the associated documents that are appended.

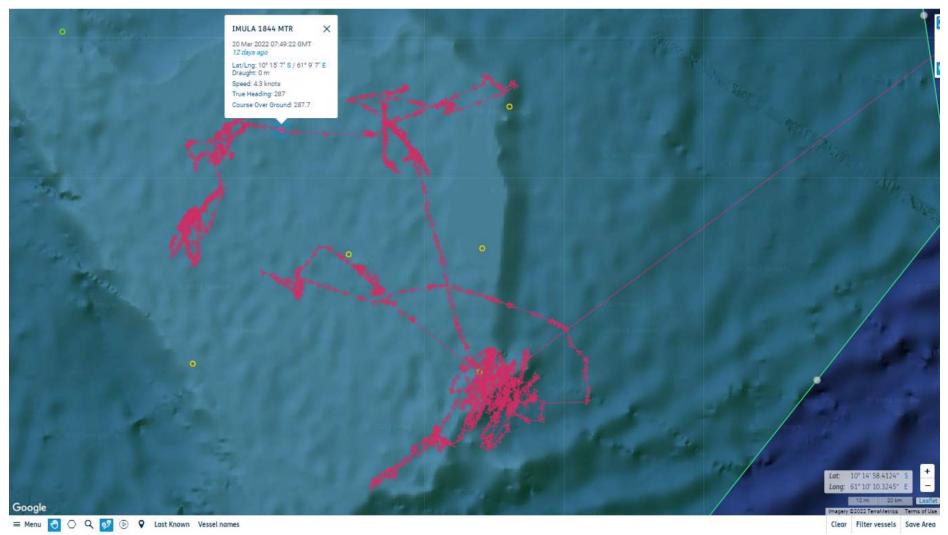
Annex 1 – AIS tracks of fishing vessel 'IMULA 1844 MTR' (screenshots 1-3)

D. Recommended Actions

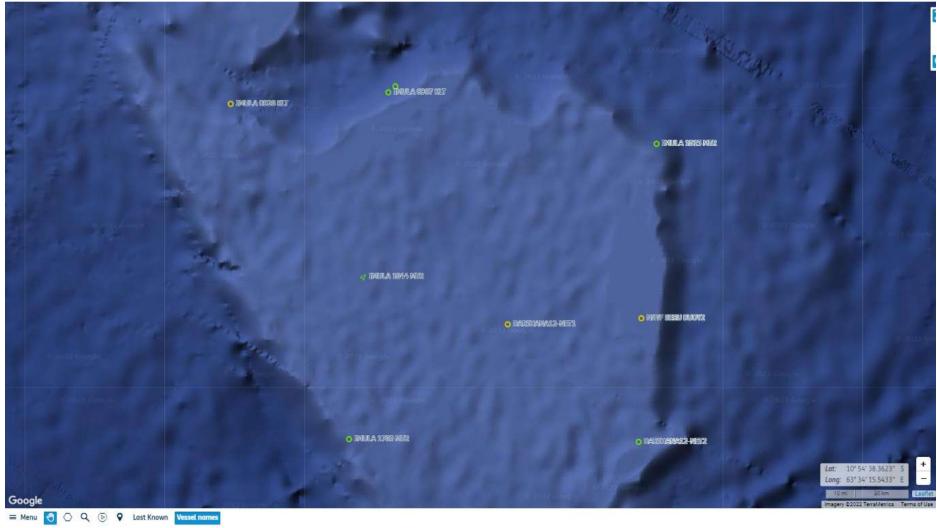
Recommended Actions			
а	Notification to SIOFA Secretariat only. No further action is recommended.		
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	\boxtimes	
с	Recommended for inclusion on SIOFA IUU list	\boxtimes	

Annex B-1 - AIS tracks of fishing vessel 'IMULA 1844 MTR'

Screenshot 1



Q Ve	essel alert	Ø Area alert ■	■ Arrival alert 🕺 Track vess	els 🖺 Save vess	els 💽 Add to watchlist	🖺 Save	search	🖘 Clear search
All re	suits 🧕					Show	ng 40 👻	items per page
							Change	e Columns 🗸
	TMO 11	Name 1	Status 🖨	Flog J1	Vessel Type 🕼	Built Jî	DWT 41	Destination
0	к.	IMULA 1844 MTR	o Live	Sri Lanka	fishing (general)	×	×.	
	8	IMULA 0907 KLT	• Live	Sri Lanka	Vessel Type (unspecified)	8	8	8
0	5	IMULA 0928 KLT	• Live	5ri Lanka	Vessel Type (unspecified)	8	5	5
0	۵)	IMULA 1815 MTR	e Live	Sri Lanka	fishing (general)	S.	¥.	<u>.</u>
0	8	IMULA 1655 MTR	• Live	🚺 Sri Lanka	Vessel Type (unspecified)	8	2	81
D	8	IMULA 1783 MTR	o Live	Sri Lanka	fishing (general)	8	8	*
0	5	DARSHANA12-NET2	Onconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	75	5	5
۵	£)	N/P/F BERU BUOY2	• Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	ŝ	¥.	ê)
٥	8	DARSHANA12-NET1	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	2	2	2



ANNEX C: IMULA 1655 MTR

SIOFA Reporting form for Vessels Presumed to be Carrying Out IUU Activities

A. Details of Vessel

Please provide the following details for each vessel presumed to have carried out IUU fishing in the Agreement Area:

Item	Description	Details
(a)	Name and previous names, if any	IMULA 1655 MTR
(b)	Flag and previous flags, if any	SRI LANKA
(c)	Owner and previous owners, including beneficial owners, if any	Unknown
(d)	Operator and previous operators, if any	Unknown
(e)	Call sign and previous call signs, if any	MMSI 417165541
(f)	IMO number, if any	Unknown
(g)	Photographs, where available	Unavailable
(h)	Date first included on the IUU Vessel List, if applicable	n/a
(i)	Summary of activities which justify inclusion of the vessel on the IUU Vessel List, together with references to all relevant documents informing of and evidencing those activities Please also complete Section B below	AIS data of the fishing vessel 'IMULA 1655 MTR' in the period from 1 January to 31 March 2022 (see screenshots in Annex 1) displays the presence of the vessel in the immediate vicinity of the Saya de Malha Bank, indicating that the vessel may have been engaging in fishing activities falling under the purview of SIOFA.
		SRI LANKA is not a CCP to SIOFA and the fishing vessel 'IMULA 1655 MTR' is not on the SIOFA Record of Authorised Vessels. The vessel is also not registered with IOTC.

B. IUU fishing activities

Please indicate which IUU activities, as listed in paragraph 5 of CMM 2018/06, the vessel identified in Section A is presumed to have carried out in the Agreement Area:

Item	Description	Indicate	
------	-------------	----------	--

(a)	engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels;	\boxtimes
(b)	engaged in fishing for fishery resources in the Agreement Area, in contravention of the vessel's fishing licences, authorisations or permits, or after its flag State has exhausted its quota/s, catch limit or effort allocation established by SIOFA CMMs	
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	
(d bis)	fished for, retained on board, transshipped or landed fisheries resources subject to a moratorium or the retention of which is prohibited by SIOFA	
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	
(g)	transshipped or participated in other operations, such as joint-fishing, transfers at sea of fuel, crew, gear or any other supplies, either as an unloading or receiving vessel, with vessels included in the IUU Vessel List	
(h)	engaged in fishing for fishery resources, transshipment or other operations such as joint-fishing, resupplying and refueling operations in the Agreement Area having intentionally falsified or concealed their markings, identity or registration	
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	\boxtimes
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	

C. Supporting Evidence

List here the associated documents that are appended.

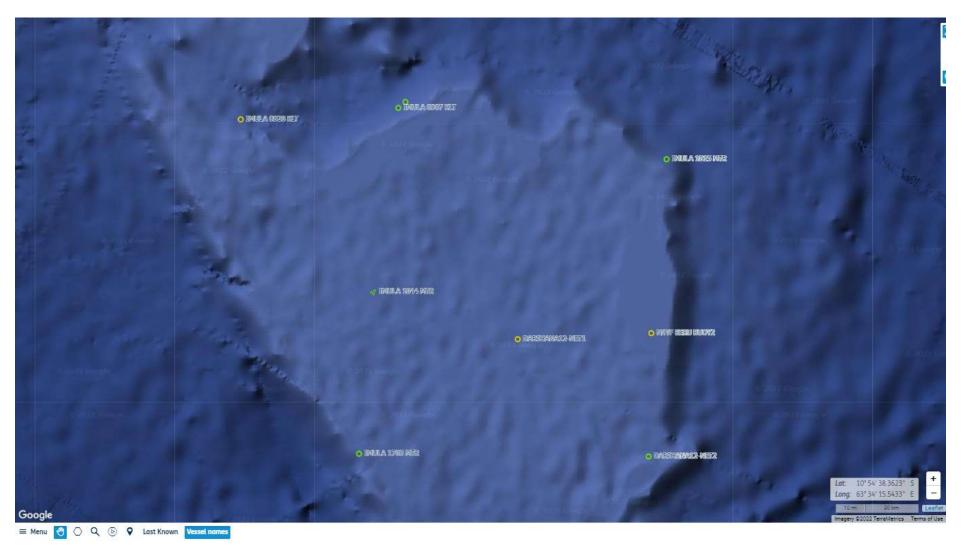
Annex 1 – AIS tracks of fishing vessel 'IMULA 1655 MTR' (screenshots 1-2)

D. Recommended Actions

Recommended Actions						
а	a Notification to SIOFA Secretariat only. No further action is recommended.					
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	\boxtimes				
с	Recommended for inclusion on SIOFA IUU list	\boxtimes				

Annex C-1 - AIS tracks of fishing vessel 'IMULA 1655 MTR'

Ø Ve	essei alert	∅ Area alert	Arrival alert 🕺 Track vess	els 🗈 Save vesse	Add to watchlist	🖺 Sove	search	🗢 Clear search
All re	suits 🧕					Show	ng 40 👻] items per page
	IMO LT	Name 10	and the	8 W	Marriel Warry 14	B-28 14	-	e Columns 🗸
•	TWO ⁴ L	Name 11	Status 🕼	Flag 🕼	Vessel Type 1	Built 11	DWT 11	Destination
0	8	IMULA 1844 MTR	∞ Live	Sri Lanka	fishing (general)	*	×:	8
0	8	IMULA 0907 KLT	• Live	5ri Lanka	Vessel Type (unspecified)	8	8	5
۵		IMULA 0928 KLT	• Live	5ri Lanka	Vessel Type (unspecified)	75		5
0	\$)	IMULA 1815 MTR	e Live	Sri Lanka	fishing (general)	ž.	¥.	0
0	×	IMULA 1655 MTR	• Live	Sri Lanka	Vessel Type (unspecified)	8	2	×
D	*	IMULA 1783 MTR	. Live	5ri Lanka	fishing (general)		8	8
0		DARSHANA12-NET2	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	8	5	5
D	1	N/P/F BERU BUOY2	• Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	ŝ.	÷	5
0	2	DARSHANA12-NET1	Unconfirmed Existence	Sti Lanka	Vessel Type (unspecified)	2	2	2





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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : http://www.fisheriesdept.gov.lk E - mail : info@fisheriesdept.gov.lk புதிய செயலகம், மாளிகாவத்தை கொழம்பு 10, இலங்கை **லி 60 கேலி விட்குக் இலைக்கும் 10, இ குணி** New Secretariat, Maligawaththa, Colombo 10

ඔරුම් අංකය මගත් අංකය දිනය } 20/04/2022 DFAR/DFO/SIOFA/2022 திகதி Date உமது இல எனது இல My Ref Your Ref Mr. Thierry Clot

Executive Secretary South Indian Ocean Fisheries Agreement (SIOFA) La Reunion France

Dear Mr. Thierry Clot

Inclusion of three Sri Lanka tuna long line fishing vessels in the draft SIOFA 2022 IUU vessel list 2022.

This is reference to your letter N0. 2022-04-06-01-ES dated 6th April 2022 on the above.

Department of Fisheries and Aquatic Resources Sri Lanka conducted an analysis on the three vessels IMULA 1783 MTR, IMULA 1844 MTR and IMULA 1655MTR) based on the AIS data provided. The vessel registration, Operation licenses Departure forms and the VMS track were inspected to find the reasons for inclusion of these vessels in the SIOFA draft IUU list 2022.

Description Vessel Name/Registration IMULA 1783 MTR IMULA 1655 MTR IMULA 1844 MTR Departure Port Mirissa Mirissa Mirissa **Fishing Authorization High Seas High Seas** Within EEZ Sri Lanka 22HS IMUL 2389 MTR 21HS IMUL1438MTR 21 EEZ IMUL12538MTR Fishing licence Number IOTC Authorized number 18106 18117 No Presence of VMS No yes yes Fishing Gear on board Drift Gill Net (<2.5) Drift Gill Net (<2.5) Drift Gill Net (<2.5) Catch landed Tuna and tuna like species managed by IOTC Catch recorded in the log

Our findings are as follows.

Note: The vessel registration and the VMS tracks are attached for your information.

531 P.O. Box

போது தொலைபேசி Gen. Telephone

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The all three vessels are duly registered fishing vessels of Sri Lanka as per the provisions of the Fisheries and Aquatic Resources Act No. 02, and present in the National Vessel registry of Sri Lanka. IMULA 1783 MTR and IMULA 1655 MTR are vessels operate for tuna fishing in high seas, Equipped with VMS on board and authorized at IOTC to operate in IOTC area of competence.

However the fishing vessel IMULA 1844 MTR is permitted to operate within EEZ of Sri Lanka and allegedly entered to High Seas. This Department investigated on this matter and has already taken actions to prosecute the vessel owner for deploying the vessel for high seas tuna fishing without a valid license, based on the electronic evidence (AIS track) provided by SIOFA.

S/N	Reg. Number / Vessel Name	Date of arrival to SL	Date of arrested	Initial Actions taken by DFAR	Legal Actions taken
01	IMUL-A- 1844 MTR	15.04.2022	15.04.2022	 (i) Detained the vessel after arrival to the port of SL and keep under the supervision of Department of Coast Guard (DCG). 	(i)Initiate court case in MC Matara under 14 F and 14 A sentences of FARA No. 2 of 1996 amended by FARA
	Mangala			(ii) Summon the skipper and crew to the head office, DFAR and	No.35 of 2013. Case No:
	a jahot sa sa Marang a jahot Marang kanang			conduct and inquiry in the presence of the vessel owner.	BR 1425/22.
				(iii)Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.	(ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.
	1		2003-200	(iii) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(iii) Next trial date 15/07/202 2

The summary of status of prosecution is as follows.

Sri Lanka nationals engage in tuna fisheries in the Western Indian Ocean from the ancient times, especially in the area of Saya de Malha Bank, close to the Mauritius. The gears they use are, long line and Gill nets. In the meantime Sri Lanka nationals have no interest of demersal fish species in high seas those comes under the scope of SIOFA. There are no catch recordings nor landing of such species by the vessels operate in the said sea area.

Sri Lanka being a member of IOTC authorize the vessels to operate in the high seas of the western Indian Ocean. Moreover the fisheries authority (DFAR) of Sri Lanka does not hesitate to take legal actions against the fishers who engage in IUU fishing activities violating the national legislations established in the country, based on the international conventions and regional resolutions.

In the section A, item (i) of the provided information by SIOFA, it is mentioned that "presence of the vessel in the immediate vicinity of the Saya de Malha Bank, indicating that the vessel may have been engaging in fishing activities falling under the purview of SIOFA".

த பெட்சு 531 பொது தொலைவேசி > +94(0)112446183 (2 lines)	தைகலைநகல் > +94(0) 112449170
до. Си.1.26 531 Сил.126 Сил.126 494(0)112446183 (2 lines) P.O.Box 531 Gen. Telephone 531	Fax

In the Section B, item (a), it is mentioned that "engaged in fishing for fishery resources in the Agreement Area and are not on the SIOFA Record of Authorized Vessels and item (i) "engaged in fishing activities contrary to any other SIOFA CMMS".

We are have a question, how a vessel being in the area of SIOFA, indicates that the vessels engaged in fishing for the species comes under the scope of SIOFA without real time proven evidence. The DFAR checked the log sheets and the catch landed on arrival and found that no demersal species on board of the three vessels reported by SIOFA.

Sri Lanka is not a CCP and nor vessels of Sri Lanka are in the SIOFA Record of Authorized list, because Sri Lanka vessels are not harvesting the demersal species those manage by SIOFA. In the meantime Due to the late submission of the authorized list of vessels to IOTC Secretariat the two vessels IMULA 1783 MTR and IMULA 1655 MTR are not updated on the authorized list of IOTC. Since the vessel list has been submitted, the two vessels are now on the ALVs of IOTC bearing IOTC number 18106 and 18117 respectively.

I think this clarification is sufficient for you to proceed ahead in the SIOFA to remove the said vessels from the CIOFA draft IUU list based on our clarifications given. In the meantime I would like to bring to your kind notice that though the competent areas of the IOTC and SIOFA are overlapped The fisheries conducted are separate. Therefore without valid, real time, proven evidences it is not reasonable to recommend inclusion of fishing vessels operate in high seas for IUU listing. Sri Lanka is ready to communicate with any reporting country on the IUU fishing activities conducted by vessels fagged to Sri Lanka, to the resolve the issues bilaterally.

I affirm our commitment to combat the IUU fishing conduct by Sri Lanka fishing vessels in the region.

Thank you, Yours Sincerely,



g Quia

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கைகை +94(0) 112449170

Vessel Registration Certificate

Boat Registration No	IMUL-A-1783M1	rr
Certificate Serial No	09869	
Date of First Registration	13-Jul-20	
Vessel Material	FRP	
Year of Manufacture	2020	
Length	47.5 Feet	
Engine No	D6AZKJ 339511	Engine Type Daydong
Horse Power	247	
Boat Yard SEELANI BOAT	YARD	Boat Yard No. NSLB 217

Owner Details

NameAddressNational IDEffective DateTHARAKA PGD-, POLKORATUWA WATTA, YATIPILA,
MIRISSA953521717V13-Jul-20

Insurance No FB/089/18551/2020

1. Port Name Mirissa Beach 2. Port Name Not available

Date 2020 /04/18

For Director General Department of Fisheries and Aquatic Resources

Insurance Date

Registration Certificate recieved

U. A. Hettiarachchi Coheries Officer Dept of Fisheries & Aquatic Resources

Signature of Applicant

Management Division - Vessel Registry Unit Sunday, April 17, 2022

03-Jul-20



ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව, කොළඹ, ශ් ලංකාව கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம், கொழும்பு, இலங்கை Department of Fisheries and Aquatic Resources, Colombo, Sri Lanka

1 වැනි කොටස / பகு 🕤 I / PART 1

	යානුාවක් ලියා	පදිංචි කිරිශම	ക്രമുള്ള പുര്ത്തം പുര്ത്തം പുര്ത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുരുത്തം പുര	छोव्य में स	சான்றிதழ்/	Certificate of Boat Re	gistration		
1.	1. ලියාපදිංචි අංකය/යානුංචේ නම பதிவிலக்கம்/ படனின் பெயர் Registration No./Name of Boat		IMULA1844MTR		IMULA1844M	IMULA1844MTR			
2. இசேல் கேலைக்கில் குறையாக பதிவு செய்யப்பட்ட திகதி Date of First Registration			05/11/2021	05/11/2021					
3.	வனூலை வெல்./ மீன்பிடிக்கலம் ப	<u> பற்றிய விப</u>	ரங்கள்/ Des	scriptio	n of the Fishin	g Craft:			
(अ) 1	කද සඳහා පංචිච්චි කරන ලද දුවා ඉහළුම්ණ உடல் செய்வதற்காக பாவீ மூலப்பொருள் Material used for construction of hull		Fibre		(ආ) සාදන ලද (ஆ) நிர்மாண (b) Date of cc	ரிக்கப்பட்ட திகதி		2021	
(4 1) (@)	ല്ര്ത്ഥ ഞെട Type of Craft		IMUL			லே கல சகுரு சுலத்தின் நீலமும் அ d width of craft	கலமும்	46.98 Ft	
1000	(ඉ) කියාකරවන පන්දම (හබල්, රූමල්,	(ඊ) යාන්ති	றிலை 🖉 (ஊ) இயந்திரமயமாயின் / (f) If motorized						
	லர்தலுகாச்சனர் (உ) செயல்படுத்தும் முறை இயற்தி				(ii) වර්ශය / ඛනය (iii) අස්ව බලය / / Type: பரிவலு / Horse power:		(iv) ஸசீன කරන ඉත් චර්ගය / பாவிக்கப்படும் எரிபொருள் / Fue used:		
		D6AUS-1334	166	INBM		230HP	Diesel		
(st) (g) 5. (ມູຊາຊີຜູ້ວ່າຍອາດ ຫາ ຈຸຊັມລາຍີ (ທາສາດສາ ຜາຊື இடப்பெயர்ச்சியும் இடவசதியும் Displacement and Space (No of Crew ລິຍວິດ ລະລາດ໌ຣ໌ / ສະຫຼັງດິຫຼາງມີຄຳ ຂະບອກ Fishing Equipment	()	NET HAULE		/ Boatyarc 6. යානුංබරණ	 ආකය / வள்ளச்சாலை Number கல கன்லிலேனே උපක மம் மற்றும் தொடர்பு ச	రతు/	47RBM08 SSB, SATTELITE NAVIGATOR, DEPTI	

II റുതി തോറ്പ് പക്രളി II / PART II

	අகி கியல், 886 சி. 24 கி. 26 கி. 26	ர் பற்றிய விபரம்/ Description	of Owner
1./2.	குகிகிகைகள் கிஜல்க கூடு / உரிமையாளரின் முழுப்பெயர் / Full Name of the Owner	ජාතික හැදුනුම්පත් අංකය / தே. அ. அ. இல. / N.I.C. Number	ලිපිනය/ முகவரி/ Address
	R.Roopasingahe	673193935V	216,Badugoda,Mirissa south
3.	ப்ஙீகள் மலகியலம் ஷயல் வல பேக்கை வகு தேலை / காப்புறுதிப் பத்திரத்தின் இலக்கமும் காப்புறுதி செய்யப்பட்ட திகதியும்/ Insurance Policy No. and Date of Insurance		
4.	രായാദാശേജ് ശാത്രാല് തലതാ തയ്തെ ദേശാനം ഖുത്രത്ഥയുടെ മീൽവിയുക്കാൻ ന്രിത്രുള്ളി തലക്കല്ലന്രിയ ത്രപ്പർ Normal place where the craft is kept	Matara	Mirissa Fisheries Harbour

අஜ'வை / கையொப்பம் /Signature

අයිනිශරු/உரிமையாளர் / Owner

ര്യാജ്ച് ട്രോഗ്യ്/ பணிப்பாளர் நாயகம்/ Director General ධිවර හා ජලජ සම්පත් දෙසාර්තමේන්තුව கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம் Department of Fisheries and Aquatic Resources

05/11/2021

තිකුත් කල දිනය வழங்கப்பட்ட திகதி Date of Issue





ஃபேச் வுச்சு விசை எதேவில் விருக்கு விரு விருக்கு விருக்கு விருக்கு விருகு

1 ലൂടി മോലം / പക്രട്ടി I / PART 1

1. ලියාපදීංචි අංකය/යානුංචේ තම பதிவீலக்கம்/ படகின் பெயர் Registration No./Name of Boat		IMULA1655MTR		IMULA1655M	IMULA1655MTR		
2. இடுன்ற டுவநைசே கிரை கேஷ முதல் முறையாக பதிவு செய்யப்பட்ட திகதி Date of First Registration			13/12/2021	13/12/2021			
3.	வுறைலை செக்கல்:/ மீன்பிடிக்கலம் ப	<u>ற்றிய விப</u>	ரங்கள்/ Des	cription of the Fishir	ng Craft:		
(ঞ) (க்கு கீசல் மலிம் கைக்கு குடில் கிரைக்கு கிரைக்கு கலத்தின் உடல் செய்வதற்காக பாவி மூலப்பொருள் Material used for construction of hull	க்கப்பட்ட	Fibre	(ආ) கூரன குர (ஆ) நிர்மான (b) Date of c	ளிக்கப்பட்ட இகதி		2021
(ඇ) (இ)	ലര്ത്തം തെടം Type of Craft		IMUL		දින සහ පළල 5 கலத்தின் நீலமும் அச nd width of craft	லமும்	47.18 Ft
	(ඉ) කියාකරවන අන්දම (බෙල්, රුවල්,	(ටී) යාන්ති:	ක නම් / (2011) (ழயந்திரமயமாயின்	/ (f) If motorized		
			രാതം / ரத்தின் இல. Number:	(ii) චර්ගය / ඛනාස / Type:	(iii) മര് രാദ്രം / പനിഖള്ച / Horse power:	പന്നിഖള്ച / Horse ല	
		DE08 MWM0	01 177203	INBM	230PS	Diesel	
(61)		4		4. ຝາຊຸນະຫອງ / Boatyari	l අ-மூல / வள்ளச்சாலை d Number	இலக்கம்	NSLB - 367
5.8	பேச் அமைக்கு / கடற்றொழில் உபகரு Fishing Equipment		NET HAULE	R கடற்பயன	සහ සන්නිවේදන උපකර rഥ ගற்றும் தொடர்பு ச & Communication equ	ாதனம் /	RADAR, SATTELITE NAVIGATOR, SSB

ll മുതി മോറെ / പക്രളി II / PART II

1./2.	ദ്ദങ്ങിയരുടെ നില്ലാര്ട് മാരി / உரிமையாளரின் முழுப்பெயர் / Full Name of the Owner	ජාතික හැදුනුම්පත් අංකය / தே. அ. அ இல. / N.I.C. Number '	ලිපිනය/ ගුසභාව/ Address
	D.H.J.P.Chaminda Thushara	752962367v	229/C,Miriyawella Road,Mirssa
3.	റ്ത്തേ പ്രതിതരം എതര മയ റത്തോം തള දිනය / ക്നല്പത്രിങ്കില ലള്ളിന്റള്ളിൽ ത്ലഖക്കുളർ ക്നല്പയുളി செய்யப்பட்ட திகதியும்/ Insurance Policy No. and Date of Insurance		

	Insurance Policy No. and Date of Insurance		
4.	ലാളാതാരേത് പാതാല തലത്ത തര്ത്ത മഠ്രതര ഖുന്നെഥ്പന്നു ഥീത്ഥിഥുക്കരുഥ நிறுத்தி തലക്കப്படும் இடம் Normal place where the craft is kept	Matara	Mirissa Fisheries Harbour

අත්සන / கையொப்பம் /Signature අයිතිකරු/உரிமையாளர் / Owner

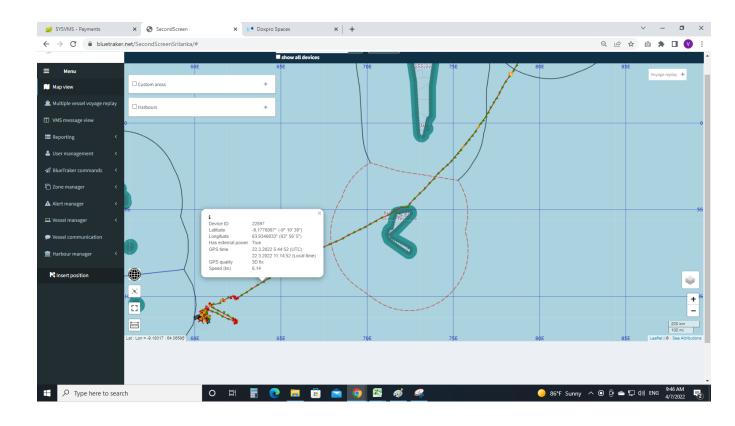
Mahnto

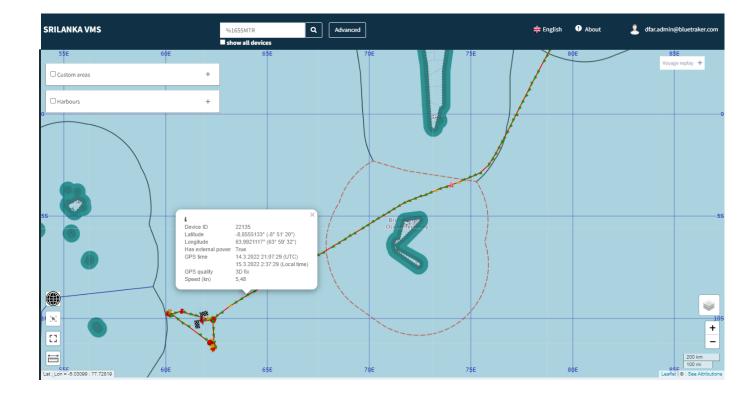
2ப்கன்க ජනරාල්/ பணிப்பாளர் நாயகம்/ Director General வீச்ச ஸ ச்குச் கூச்சங் சுசல்க்கேன்றும் கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம் Department of Fisheries and Aquatic Resources 13/12/2021

லிஷன் கரு சேலை வழங்கப்பட்ட திகதி Date of Issue



3/12/2021





De : thierry.clot Envoyé : vendredi 22 avril 2022 01:50:30 (UTC+04:00) Port Louis À : Kalyani Hewapathirana Cc : DG DFAR; jlouys@sfa.sc; SIOFA secretariat **Sujet :** Fwd: Sri Lanka Vessels presumed to have engaging in IUU fishing in SIOFA area.

Dear Madam

I acknowledge receipt of your reply regarding the three Sri Lankan flagged vessels alleged to have engaged in IUU fishing in the SIOFA area. I would like to draw your attention to the fact that the SIOFA agreement covers fisheries resources, including fish, molluscs, crustaceans and other sedentary species in the area, but excludes highly migratory species (Annex I of UNCLOS) and sedentary species subject to restrictions (UNCLOS Annex I) and sedentary species subject to the fisheries jurisdiction of coastal States (UNCLOS Anticle 77(4)). This means that SIOFA is competent for all fish species, except the excluded species mentioned above.

I will inform the Chairman of the Compliance Committee and the Head of Delegation of the Meeting of the Parties of your letter of response.

It will be up to the MoP during to decide whether these vessels should be maintained or deleted from the SIOFA IUU vessel list. A proposal will be done at the end of the Compliance Committee to the MoP who has to confirm the registration on the IUU List or not.

Our rules of procedure allow you to register as an observer at the next meeting which could take place physically and/or virtually in La Réunion, between 28 June and 8 July 2022.

If you want to attend as observer, you will find the registration form on our website page : http://www.apsoi.org/meetings/cc6

Please contact the Secretariat (secretariat@siofa.org) if you need further information.

Kind regards

Thierry CLOT SIOFA Executive Secretary