



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement  
Accord relatif aux Pêches dans le Sud de l'Océan Indien

CC-07-04-rev2

**7<sup>th</sup> Meeting of the Compliance Committee (CC7)**

*Ravenala Attitude Hotel, Balaclava, Mauritius*

*28-30 June 2023*

CC-07-04-rev2

# SIOFA Draft IUU vessel list

SIOFA Secretariat

<b>Document type</b>	working paper <input checked="" type="checkbox"/> information paper <input type="checkbox"/>
<b>Distribution</b>	Public <input checked="" type="checkbox"/> Restricted <sup>1</sup> <input type="checkbox"/> Closed session document <sup>2</sup> <input type="checkbox"/>
<b>Abstract</b>	<p>According to SIOFA CMM 2022/06, the Secretariat prepared the draft IUU vessel list to be discussed by the Compliance Committee. 3 vessels are re-proposed on the Draft list according to CC6 and MoP9 decisions in 2022.</p>

<sup>1</sup> Restricted documents may contain confidential information. Please do not distribute restricted documents in any form without the explicit permission of the SIOFA Secretariat and the data owner(s)/provider(s).

<sup>2</sup> Documents available only to members invited to closed sessions.



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Southern Indian Ocean Fisheries Agreement  
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CC-07-04-rev2

### 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 re-proposed 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 1 (SIOFA Circular 2022/34)

- Annex 2 (SIOFA Circular 2023/18)

- Annex 3 (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 4, extract of CC6 and MoP9 report)

The information that was provided in 2022 for the 6<sup>th</sup> Compliance Committee Meeting (ref CC-06-01-rev2), is also re-provided here for reference (annex 5)



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Southern Indian Ocean Fisheries Agreement  
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CC-07-04-rev2

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





# Annex 1



**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 29<sup>th</sup> 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



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](mailto:info@fisheriesdept.gov.lk)

புதிய செயலகம், மாளிகாவத்தை கொழும்பு 10, இலங்கை තව මහ ලලසම් ආර්ථලය, මාලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය  
எனது இல  
My Ref



DFAR/DFO/SIOFA/2022

ඔබේ අංකය  
உமது இல  
Your Ref



දිනය  
திகதி  
Date



29.07.2022

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

கி.பி.பி.  
த.பி.பி.  
P.O.Box

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எந்திரமெய்தகை  
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## Annex 2



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement  
Accord relatif aux Pêches dans le Sud de l'Océan Indien

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

Reunion Island, Friday 28<sup>th</sup> 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

Best regards,

Thierry Clot

SIOFA/APSOI

Executive Secretary





# Annex I



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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](mailto:info@fisheriesdept.gov.lk)

புறிய செயலகம், மாளிகாவத்தை கொழும்பு 10, இலங்கை නව මහ ලේකම් කාර්යාලය, මාලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය } DFAR/DFO/SIOFA/2022  
எனது இல }  
My Ref }

බරි මගේ අංකය }  
உமது இல }  
Your Ref }

දිනය } 20/04/2022  
திகதி }  
Date }

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 NO. 2022-04-06-01-ES dated 6<sup>th</sup> 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.

Our findings are as follows.

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
Fishing licence Number	22HS IMUL 2389 MTR	21HS IMUL1438MTR	21 EEZ IMUL12538MTR
IOTC Authorized number	18106	18117	No
Presence of VMS	yes	yes	No
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			

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

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த.பெ.பி }  
P.O.Box }

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வதிரைநகல் }  
Fax }



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.

The summary of status of prosecution is as follows.

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  Mangala	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).  (ii) Summon the skipper and crew to the head office, 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.  (iii) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(i)Initiate court case in MC Matara under 14 F and 14 A sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No:  BR 1425/22.  (ii)Magistrate summoned to detain the vessel under the Department of Coast Guard.  (iii) Next trial date 15/07/2022

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”*.



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”.

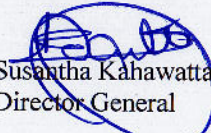
We are have a question, how a vessel being in the area of SIOFA, indicates that the vessels engaged in fishing for the species comes under the scope of SIOFA without real time proven evidence . The DFAR checked the log sheets and the catch landed on arrival and found that no demersal species on board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

  
Susantha Kahawatta  
Director General

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P.O.Box

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Fax



# Vessel Registration Certificate

Boat Registration No

**IMUL-A-1783MTR**

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

Name

Address

National ID

Effective Date

**THARAKA PGD**

**-, POLKORATUWA WATTA, YATIPILA,  
MIRISSA**

**953521717V**

**13-Jul-20**

Insurance No

**FB/089/18551/2020**

Insurance Date

**03-Jul-20**

1. Port Name

**Mirissa Beach**

2. Port Name

**Not available**

Date **2020 / 04 / 18**



For Director General

Department of Fisheries and Aquatic Resources

Registration Certificate recieved

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

Signature of Applicant

Management Division - Vessel Registry Unit

Sunday, April 17, 2022





IMULA1844MTR

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கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம், கொழும்பு, இலங்கை  
Department of Fisheries and Aquatic Resources, Colombo, Sri Lanka

1 වැනි කොටස / பகுதி I / PART I

යානයේ ලියවිල්ලේ කිරීමේ සහතිකය / பதிவுச் சான்றிதழ் / Certificate of Boat Registration

Table with 4 main rows and multiple columns containing registration details like IMULA1844MTR, 05/11/2021, and boat specifications.

II වැනි කොටස / பகுதி II / PART II

අයිතිකරු පිළිබඳ විස්තර / உரிமையாளர் பற்றிய விபரம் / Description of Owner

Table with 3 rows containing owner details: R.Roopasingahe, 673193935V, 216, Badugoda, Mirissa south.

අත්සන / கையொப்பம் / Signature  
අයිතිකරු/உரிமையாளர் / Owner

05/11/2021



සාමාන්‍ය ජනරාල් / பணிப்பாளர் நாயகம் / Director General  
සිවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව  
கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம்  
Department of Fisheries and Aquatic Resources

නිකුත් කල දිනය  
வழங்கப்பட்ட திகதி  
Date of Issue





IMULA1655MTR

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

1 වැනි කොටස / பகுதி I / PART 1

යනාබන් ලියාපදිංචි කිරීමේ සහතිකය / பதிவுச் சான்றிதழ் / Certificate of Boat Registration

Table with 4 main rows and sub-rows. Row 1: Registration No./Name of Boat (IMULA1655MTR). Row 2: Date of First Registration (13/12/2021). Row 3: Description of the Fishing Craft. Sub-rows include: (a) Material used for construction of hull (Fibre), (b) Date of construction (2021), (c) Type of Craft (IMUL), (d) Length and width of craft (47.18 Ft). Row 4: Motorization details. Sub-rows include: (i) Engine Number (DE08 MWM01 177203), (ii) Type (INBM), (iii) Horse power (230PS), (iv) Fuel used (Diesel). Row 5: Displacement and Space (No of Crew) (NSLB - 367). Row 6: Fishing Equipment (NET HAULER). Row 7: Navigation & Communication equipment (RADAR, SATTELITE NAVIGATOR, SSB).

II වැනි කොටස / பகுதி II / PART II

අයිතිකරු පිළිබඳ විස්තර / உரிமையாளர் பற்றிய விபரம் / Description of Owner

Table with 3 rows. Row 1: Full Name of the Owner (D.H.J.P.Chaminda Thushara), N.I.C. Number (752962367v), Address (229/C, Miriyawella Road, Mirssa). Row 2: Insurance Policy No. and Date of Insurance. Row 3: Normal place where the craft is kept (Matara, Mirissa Fisheries Harbour).

අත්සන / கையொப்பம் / Signature  
අයිතිකරු/உரிமையாளர் / Owner

13/12/2021

අධ්‍යක්ෂ ජනරාල්/பணிப்பாளர் நாயகம் / Director General  
සීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව  
கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம்  
Department of Fisheries and Aquatic Resources

නිකුත් කල දිනය  
வழங்கப்பட்ட திகதி  
Date of Issue

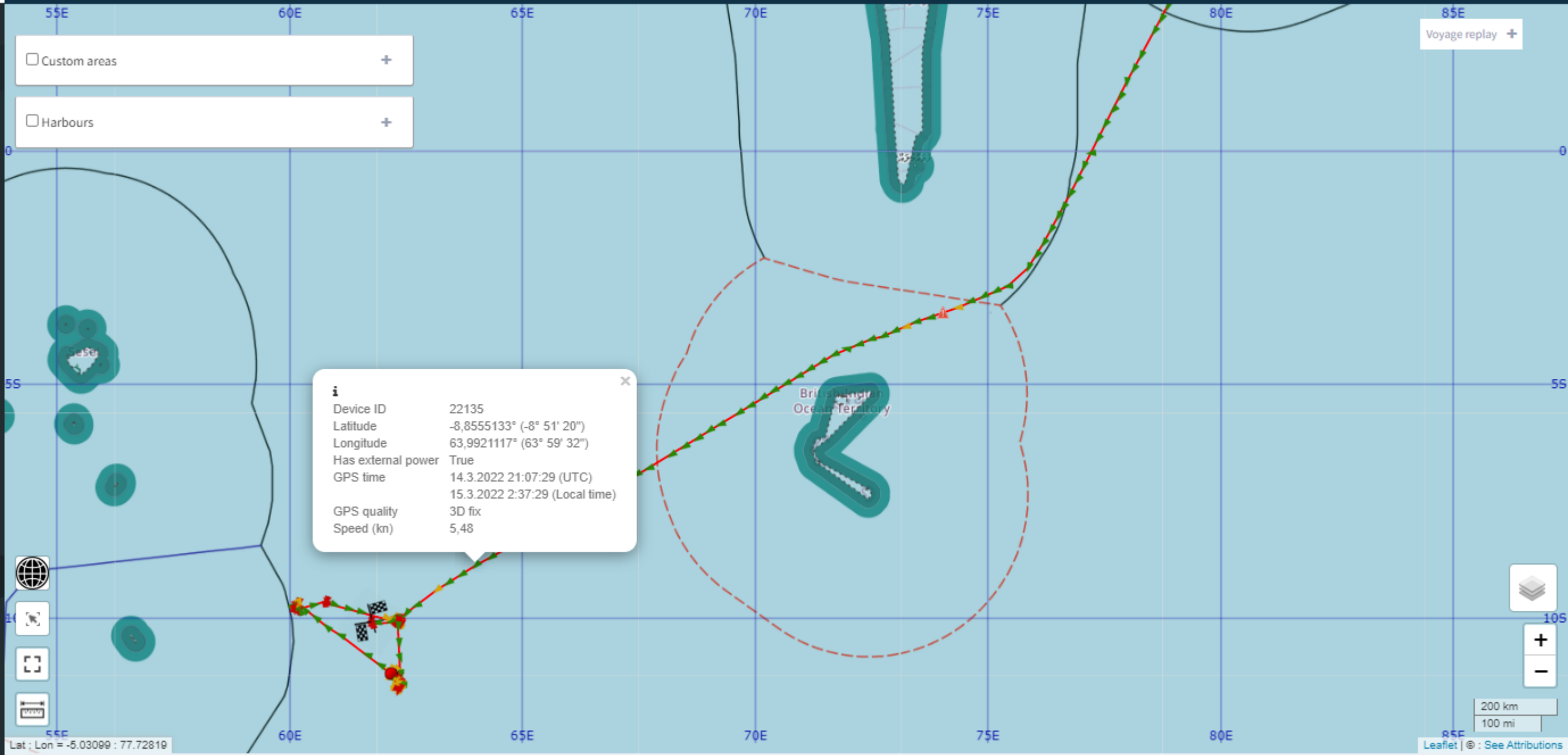




Custom areas +

Harbours +

Voyage replay +

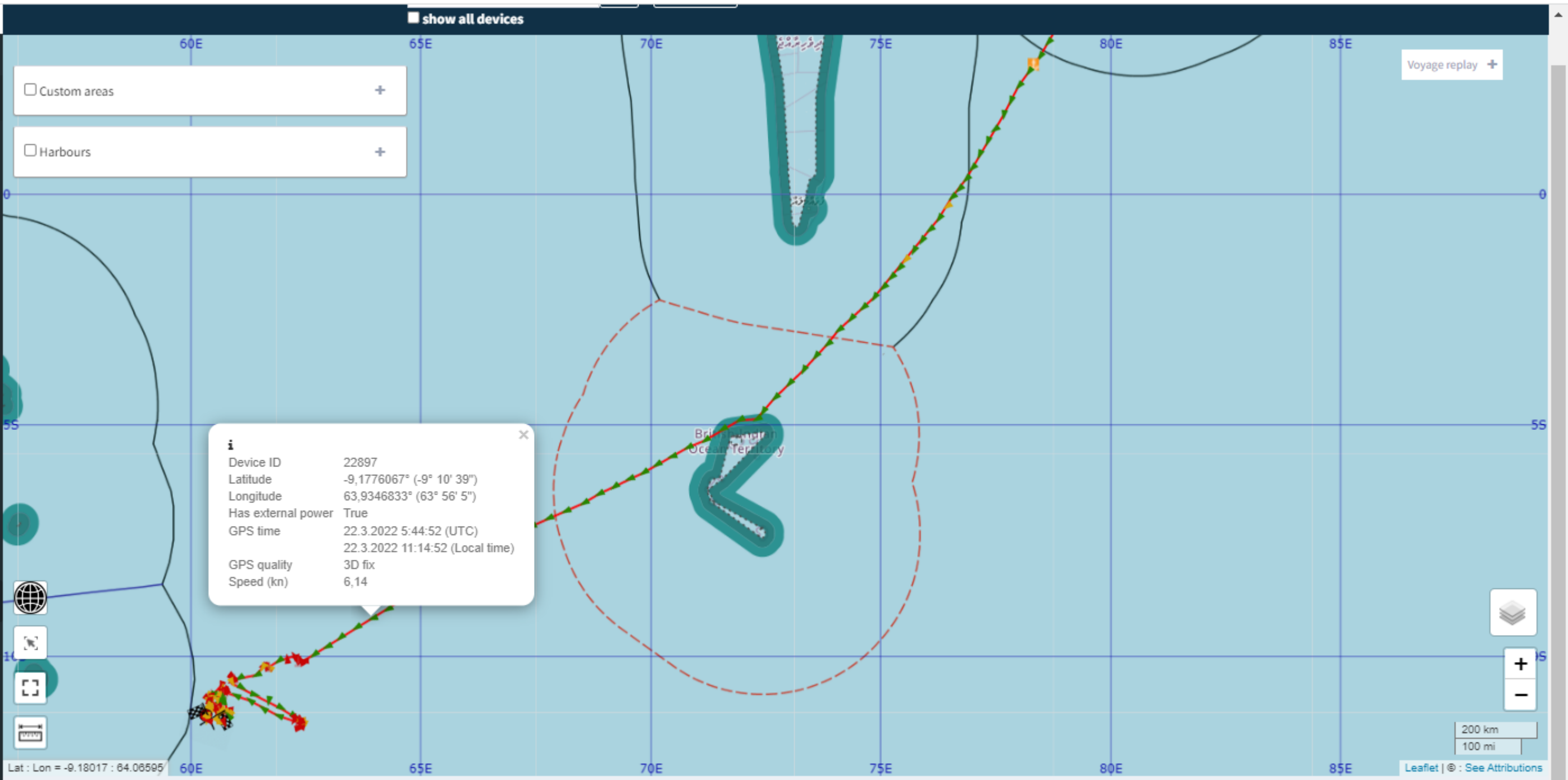


**i** [Close]

Device ID	22135
Latitude	-8,8555133° (-8° 51' 20")
Longitude	63,9921117° (63° 59' 32")
Has external power	True
GPS time	14.3.2022 21:07:29 (UTC)
	15.3.2022 2:37:29 (Local time)
GPS quality	3D fix
Speed (kn)	5,48

Menu

- Map view
- Multiple vessel voyage replay
- VMS message view
- Reporting
- User management
- BlueTraker commands
- Zone manager
- Alert manager
- Vessel manager
- Vessel communication
- Harbour manager
- Insert position



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

# Annex II

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](mailto:johnny.louys@siofa.org)  
Date: 2023/04/14 18:21 (GMT+02:00)  
To: [liz@braxtonshipping.co.za](mailto:liz@braxtonshipping.co.za)  
Cc: 'Nomura Ichiro' <[ichiro\\_nomura470@maff.go.jp](mailto:ichiro_nomura470@maff.go.jp)>, [inomura75@gmail.com](mailto:inomura75@gmail.com), [thierry.clot@siofa.org](mailto:thierry.clot@siofa.org), 'SIOFA secretariat' <[secretariat@siofa.org](mailto:secretariat@siofa.org)>  
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](mailto:johnny.louys@siofa.org)  
c/o DAAF, Bâtiment B, Parc de la Providence  
97489 Saint-Denis Cedex La Réunion



---

From: [liz@braxtonshipping.co.za](mailto:liz@braxtonshipping.co.za) <[liz@braxtonshipping.co.za](mailto:liz@braxtonshipping.co.za)>  
Sent: Friday, April 14, 2023 1:32 PM  
To: [secretariat@siofa.org](mailto: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 3



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement  
Accord relatif aux Pêches dans le Sud de l'Océan Indien

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

Reunion Island, Wednesday 22<sup>nd</sup> March 2023

**Ms Kalyani HEWAPATHIRANA**

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

Dear Ms Hewapathirana,

We would like to draw your attention to the vessel IMULA 1844 MTR. As per the last updated provided by the Sri Lanka on the 29th of July 2022, the SIOFA Secretariat was informed that the vessel was subject to ongoing legal proceedings and that it will inform the Secretariat of any disciplinary actions taken against it. The Secretariat was also advised that the vessel's logbook information could not be provided at the time of the request by the Secretariat due to the ongoing legal proceedings. We kindly request that you inform us whether there are any disciplinary actions taken against the vessel, or any other relevant information related to the case.

In addition, we would like to ask whether you would like to provide any further information regarding the other two vessels, IMULA 1655 MTR and IMULA 1783 MTR, as previously requested by the SIOFA Secretariat. .

Please be advised that the 3 vessels are currently on the draft SIOFA IUU Vessel List for consideration at the next meeting and hereby requests that Sri Lanka provide further information such as observer data, port inspection reports, landing/sale notes, and transshipment declarations.

Sincerely yours,

Thierry CLOT

SIOFA Executive Secretary

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

Batiment B, Parc de la Providence, 97489 Saint-Denis Cedex, La Réunion, France  
[thierry.clot@siofa.org](mailto:thierry.clot@siofa.org) / [www.apsoi.org](http://www.apsoi.org) / Tel : + 262 693 444 495





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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](mailto:info@fisheriesdept.gov.lk)

පුதிய සෙයලසුම, මාලිකාවත්තේ කොමුණු 10, இலங்கை නව மக ரஞ்சனி கார்வளம், மருதாவத்த, மகாபலி 10, ශ්‍රී ලංකාව New Secretariat, Maligawatha, Colombo 10

මගේ අංකය } DFAR/DFO/SIOFA/2023-1 } ඔබේ අංකය } 00.04.2023  
எனது இல } } உமது இல }  
My Ref } } Your Ref }  
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திகதி }  
Date }

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**

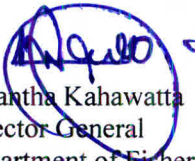
This is reference to your letter dated 22<sup>nd</sup> March 2023 requesting further information on the investigations conducted on the Sri Lanka fishing Vessel, IMULA 1844 MTR. The relevant information is provided in the table given below.

Date of arrival to Sri Lanka	Initial Actions taken by DFAR	Legal Actions taken	Current Status
15 <sup>th</sup> 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 15 <sup>th</sup> 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 20<sup>th</sup> 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 Kahawatta  
Director General  
Department of Fisheries and Aquatic Resources



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement  
Accord relatif aux Pêches dans le Sud de l'Océan Indien

Ref. 2023-06-05-1/SIOFA/ES

Ms Kalyani HEWAPATHIRANA  
Director Fishing Operations  
Department of Fisheries & Aquatic  
Resources  
New Secretariat  
Maligawahththa  
Colombo 10  
SRI LANKA

Reunion Island, Monday 5<sup>th</sup> June 2023

**Subject: Request for Information on Vessel IMULA 1655**

Dear Ms Hewapathirana,

I hope this letter finds you well.

We would also like to inquire about your vessel, IMULA 1655. Our records indicate that this vessel has recorded catches of Mobula ray. We would be grateful if you could provide us with more information on the catches made by IMULA 1655, notably if these catches were kept onboard, and if there were landed and/or transhipped at the end of the concerned fishing trip.

Thank you for your attention to this matter. We look forward to receiving your response, preferably before our upcoming Compliance Committee meeting, which is expected to take place between the 28<sup>th</sup> and the 30<sup>th</sup> of June 2022, and will be pleased to provide any further information or clarification as necessary.

Yours sincerely,

Thierry CLOT

SIOFA Executive Secretary



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement  
Accord relatif aux Pêches dans le Sud de l'Océan Indien





## ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

கடற்பொழில் நீரியல் வளத்துறை திணைக்களம்

## DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk>

E - mail : [info@fisheriesdept.gov.lk](mailto:info@fisheriesdept.gov.lk)

புதிய செயலகம், மாளிகாவத்தை கொழும்பு 10, இலங்கை නව මහ ලේකම් කාර්යාලය, මලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය  
எனது இல  
My Ref

} DFAR/DFO/SIOFA/2023-2

ඔබේ අංකය  
உமது இல  
Your Ref

}

දිනය  
திகதி  
Date

} 16 . 06. 2023

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

Dear Mr. Thierry Clot

Ref: 2023-06-05-1/SIOFA/ES

### Request for information on Sri Lanka Fishing Vessel IMULA 1655 MTR.

This is reference to your letter dated 5<sup>th</sup> June 2023 requesting information on the Sri Lanka fishing Vessel IMULA 1655 MTR.

The vessel IMULA 1655 MTR arrived to Sri Lanka fishery harbour on 02<sup>nd</sup> May 2022. The vessel has been inspected on arrival by the DFAR harbour officer. The log sheet is collected and the catch landed is inspected. Thirty-Nine (39) numbers of mobulid rays were on board and the mobulid catch was taken to the custody of DFAR since catching of this species is prohibited as per the conditions of the fishing license.

Sri Lanka fishing vessels operate in the high seas for tuna and tuna like species subjected to the Conservation and Management Measures of IOTC. However, the resolution 19/03 on the conservation of mobulid rays caught in association with tuna fishery, which adopted in 2019 (on banning the retention of mobulids) is still in the drafting stage and not yet published. In absence of legal provisions prosecution was not possible and therefore the catch has been taken to the custody of DFAR and the master(skipper) warned for the first time for breaking of the license condition.

DFAR is in the process of expedite the publication of draft regulations and the regulation on conservation of Mobulid rays will be published.

This is for your information please.

Thank You  
Yours sincerely,

Susantha Kahawatta  
Director General  
Department of Fisheries and Aquatic Resources

Susantha Kahawatta  
Director General

Department of Fisheries and Aquatic Resources

වැ.පෙ.  
த.பெ.பி.பெ.  
P.O.Box } 531

පොදු දුරකථන  
பொது தொலைபேசி  
Gen. Telephone } +94(0)112446183 (2 lines)

වැ.කේ  
தொலைநகல்  
Fax } +94(0) 112449170



## 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 transshipment declarations.



Extract of MoP9 report about IMULA (paragraphs 54 to 59)

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'Océan Indien (APSOI)

Batiment B, Parc de la Providence, 97489 Saint-Denis Cedex, La Réunion, France  
[thierry.clot@siofa.org](mailto:thierry.clot@siofa.org) / [www.apsoi.org](http://www.apsoi.org) / 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	<p>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.</p> <p>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.</p>

## 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;	<input checked="" type="checkbox"/>
(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	<input type="checkbox"/>
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	<input type="checkbox"/>
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	<input type="checkbox"/>
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	<input checked="" type="checkbox"/>
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	<input type="checkbox"/>

## C. Supporting Evidence

List here the associated documents that are appended.

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

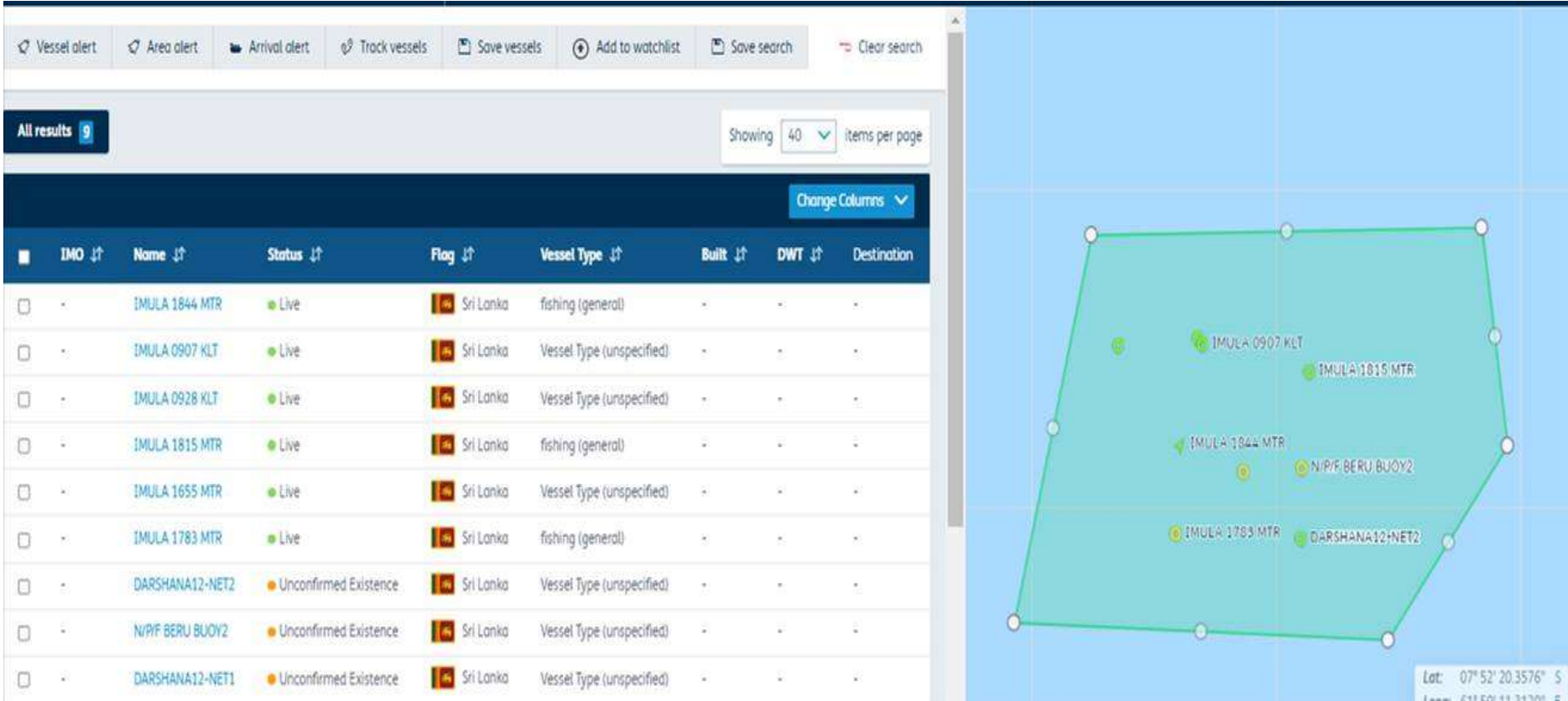
## D. Recommended Actions

Recommended Actions		Indicate
a	Notification to SIOFA Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	<input checked="" type="checkbox"/>
c	Recommended for inclusion on SIOFA IUU list	<input checked="" type="checkbox"/>

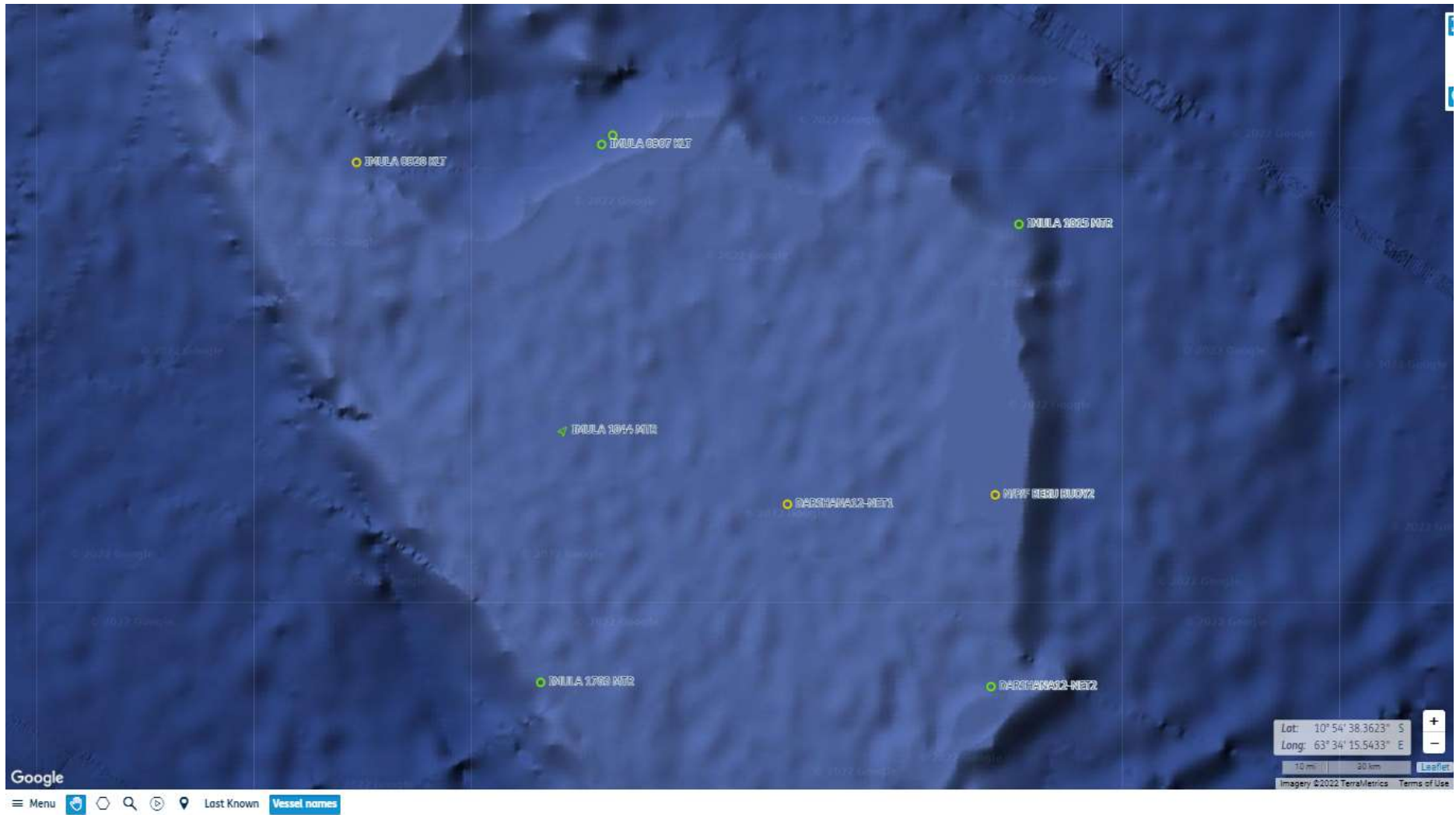


Annex A-1 - AIS tracks of fishing vessel 'IMULA 1783 MTR'

Screenshot 1



Screenshot 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;	<input checked="" type="checkbox"/>
(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	<input type="checkbox"/>
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	<input type="checkbox"/>
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	<input type="checkbox"/>
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	<input checked="" type="checkbox"/>
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	<input type="checkbox"/>

### C. Supporting Evidence

List here the associated documents that are appended.

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

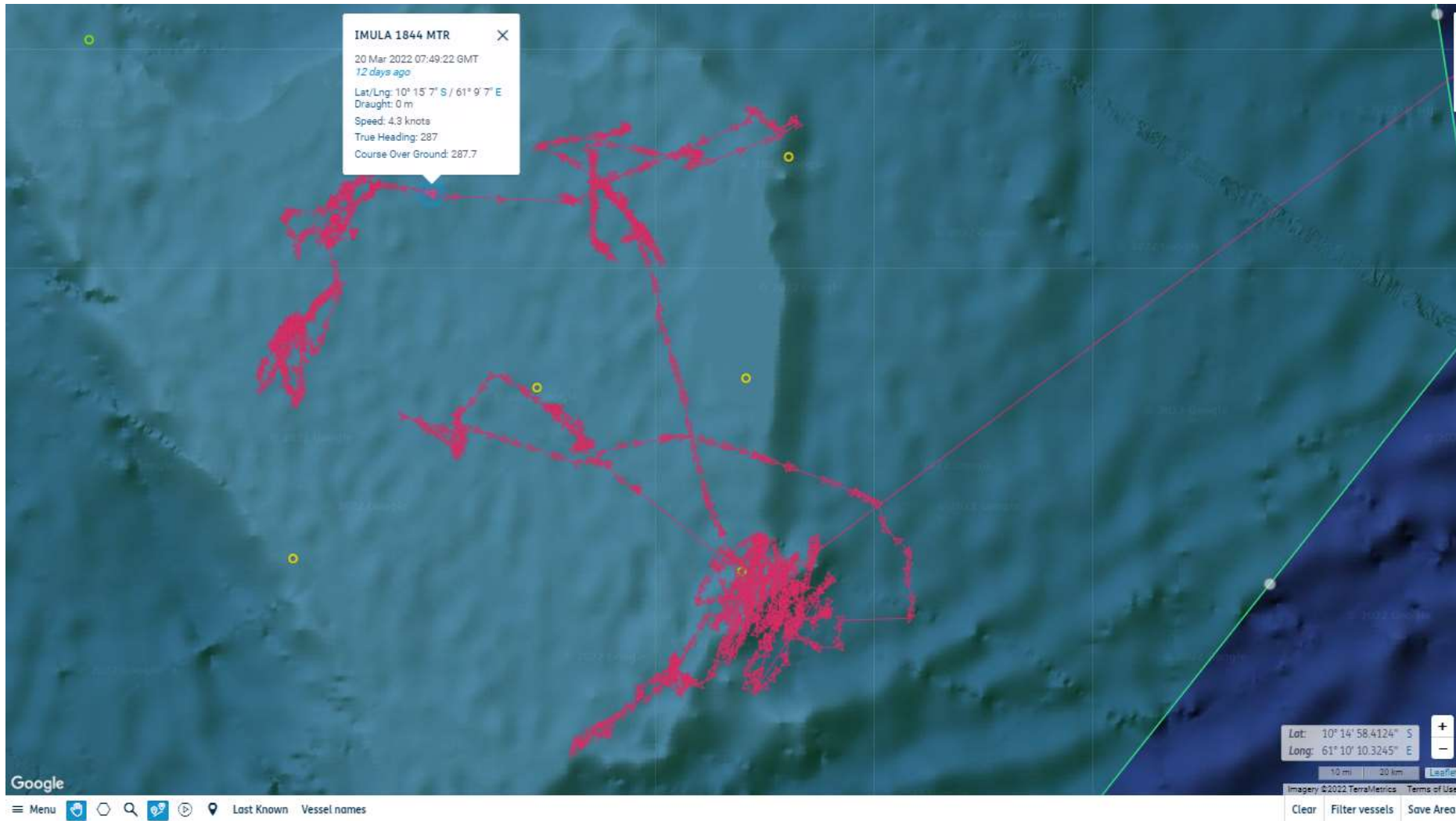
### D. Recommended Actions

Recommended Actions		Indicate
a	Notification to SIOFA Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	<input checked="" type="checkbox"/>
c	Recommended for inclusion on SIOFA IUU list	<input checked="" type="checkbox"/>



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

Screenshot 1



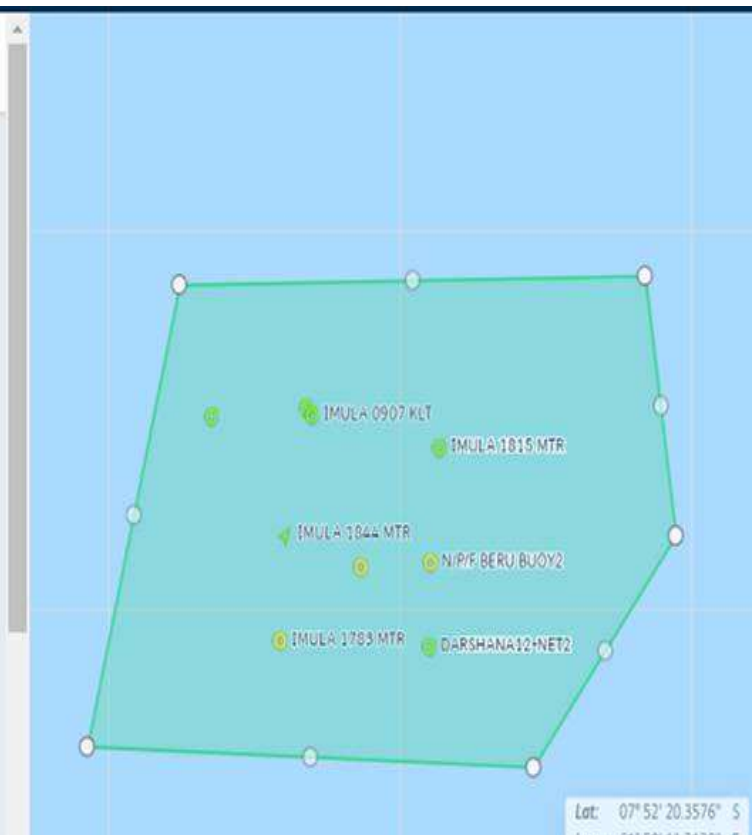
Screenshot 2

Vessel alert Area alert Arrival alert Track vessels Save vessels Add to watchlist Save search Clear search

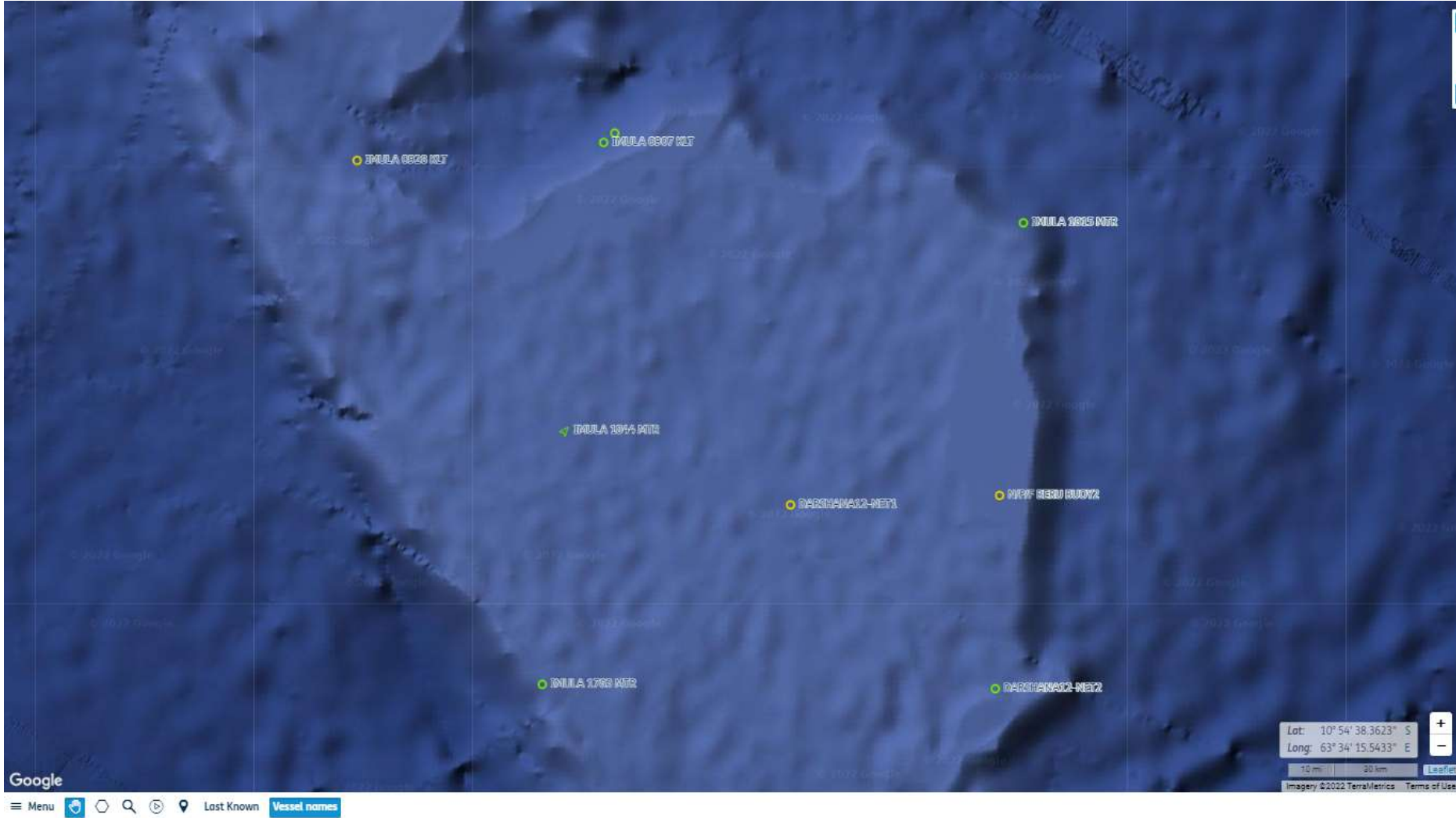
All results 9 Showing 40 items per page

Change Columns

IMO	Name	Status	Flag	Vessel Type	Built	DWT	Destination
-	IMULA 1844 MTR	Live	Sri Lanka	fishing (general)	-	-	-
-	IMULA 0907 KLT	Live	Sri Lanka	Vessel Type (unspecified)	-	-	-
-	IMULA 0928 KLT	Live	Sri Lanka	Vessel Type (unspecified)	-	-	-
-	IMULA 1815 MTR	Live	Sri Lanka	fishing (general)	-	-	-
-	IMULA 1655 MTR	Live	Sri Lanka	Vessel Type (unspecified)	-	-	-
-	IMULA 1783 MTR	Live	Sri Lanka	fishing (general)	-	-	-
-	DARSHANA12-NET2	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	-	-	-
-	N/P/F BERU BUOY2	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	-	-	-
-	DARSHANA12-NET1	Unconfirmed Existence	Sri Lanka	Vessel Type (unspecified)	-	-	-



Screenshot 3





## 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;	<input checked="" type="checkbox"/>
(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	<input type="checkbox"/>
(c)	not recorded or reported their catches made in the Agreement Area as required by adopted reporting procedures, or made false reports	<input type="checkbox"/>
(d)	retained on board, transshipped or landed undersized fish in a way that undermines SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(e)	engaged in fishing fish during a closed fishing period or in closed areas in contravention of SIOFA CMMs	<input type="checkbox"/>
(f)	used prohibited fishing gear or fishing methods in contravention of SIOFA CMMs	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>
(i)	engaged in fishing activities contrary to any other SIOFA CMMS	<input checked="" type="checkbox"/>
(j)	been under the control of the owner of any vessel on the SIOFA IUU Vessel List	<input type="checkbox"/>

### C. Supporting Evidence

List here the associated documents that are appended.

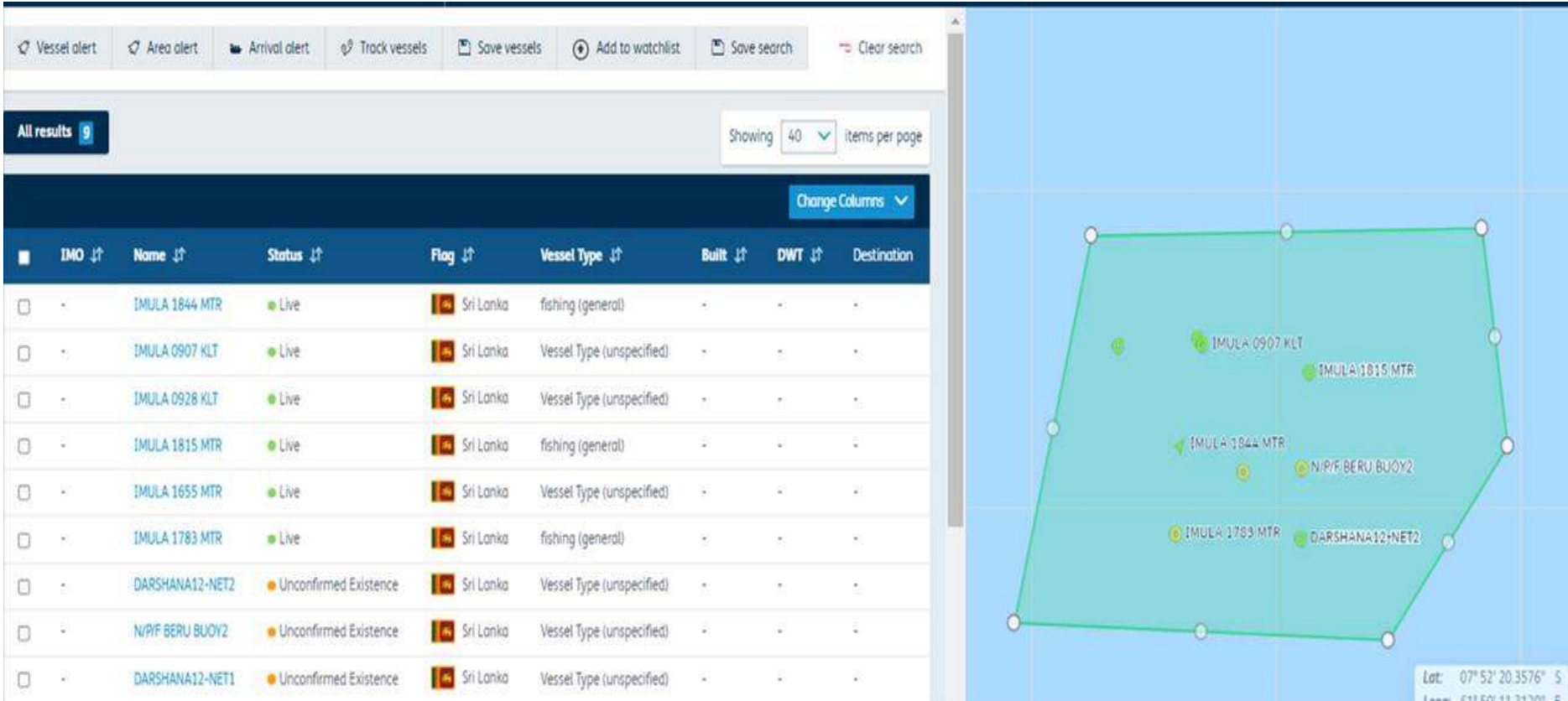
Annex 1 – AIS tracks of fishing vessel 'IMULA 1655 MTR' (screenshots 1-2)

### D. Recommended Actions

Recommended Actions		Indicate
a	Notification to SIOFA Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of IUU activity to SIOFA Secretariat. Recommend notification of activity to flag State.	<input checked="" type="checkbox"/>
c	Recommended for inclusion on SIOFA IUU list	<input checked="" type="checkbox"/>

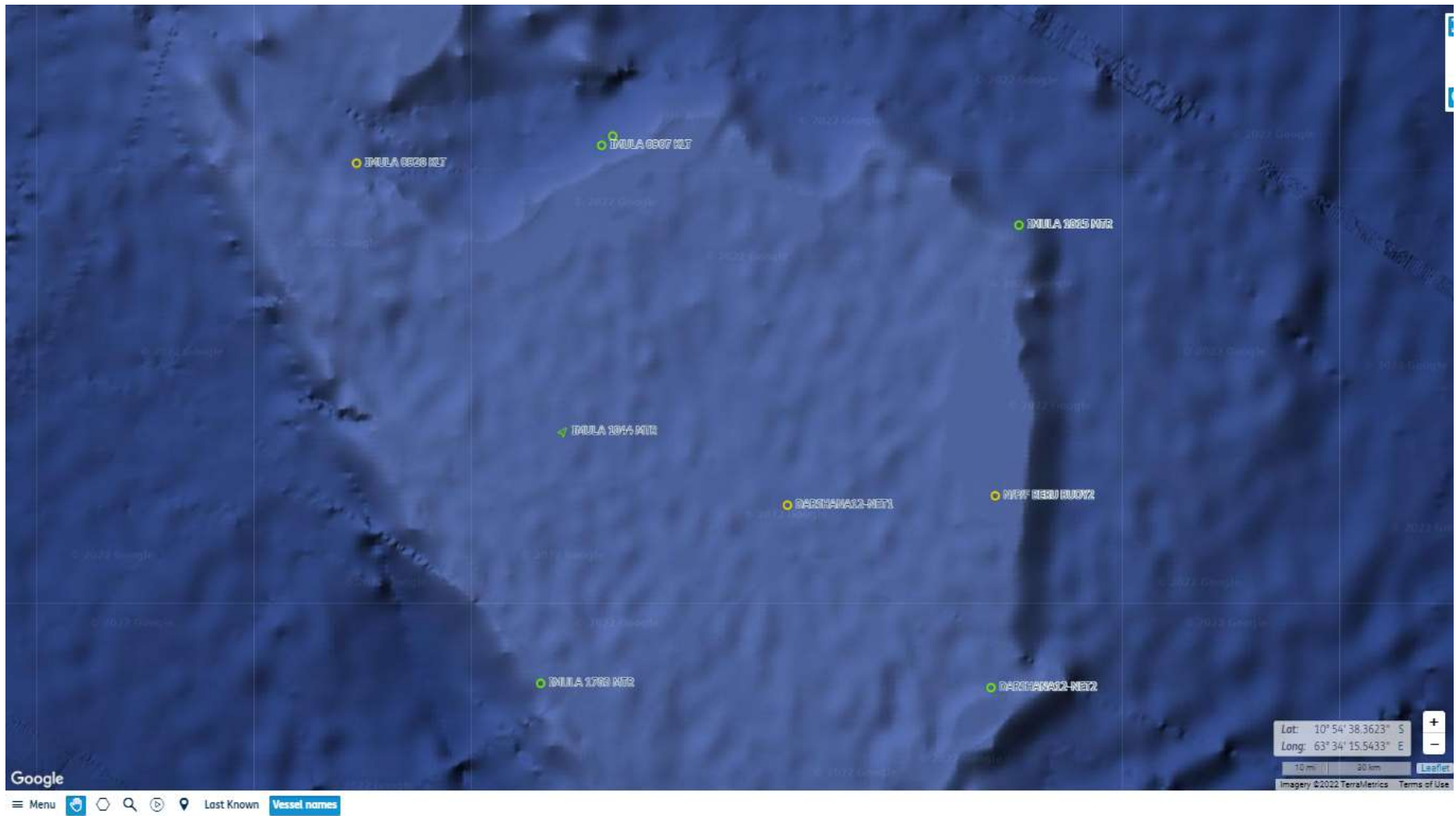
Annex C-1 - AIS tracks of fishing vessel 'IMULA 1655 MTR'

Screenshot 1





Screenshot 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](mailto:info@fisheriesdept.gov.lk)

புறிய செயலகம், மாளிகாவத்தை கொழும்பு 10, இலங்கை නව මහ ලේකම් කාර්යාලය, මාලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය } DFAR/DFO/SIOFA/2022  
எனது இல }  
My Ref }

ඔබේ අංකය }  
உமது இல }  
Your Ref }

දිනය } 20/04/2022  
திகதி }  
Date }

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 NO. 2022-04-06-01-ES dated 6<sup>th</sup> 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.

Our findings are as follows.

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
Fishing licence Number	22HS IMUL 2389 MTR	21HS IMUL1438MTR	21 EEZ IMUL12538MTR
IOTC Authorized number	18106	18117	No
Presence of VMS	yes	yes	No
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			

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

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த.பெ.பி }  
P.O.Box }

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பொது தொலைபேசி }  
Gen. Telephone }

ලැ.ප. } +94(0) 112449170  
வதிரைநகல் }  
Fax }



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.

The summary of status of prosecution is as follows.

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  Mangala	15.04.2022	15.04.2022	<p>(i) Detained the vessel after arrival to the port of SL and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.</p> <p>(iii) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.</p>	<p>(i) Initiate court case in MC Matara under 14 F and 14 A sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No:  BR 1425/22.</p> <p>(ii) Magistrate summoned to detain the vessel under the Department of Coast Guard.</p> <p>(iii) Next trial date 15/07/2022</p>

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”*.



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”.

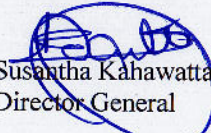
We are have a question, how a vessel being in the area of SIOFA, indicates that the vessels engaged in fishing for the species comes under the scope of SIOFA without real time proven evidence . The DFAR checked the log sheets and the catch landed on arrival and found that no demersal species on board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

  
Susantha Kahawatta  
Director General

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P.O.Box } 531

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Gen. Telephone } +94(0)112446183 (2 lines)

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අංකය  
Fax } +94(0) 112449170



# Vessel Registration Certificate

Boat Registration No

**IMUL-A-1783MTR**

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

Name

Address

National ID

Effective Date

**THARAKA PGD**

**-, POLKORATUWA WATTA, YATIPILA,  
MIRISSA**

**953521717V**

**13-Jul-20**

Insurance No

**FB/089/18551/2020**

Insurance Date

**03-Jul-20**

1. Port Name

**Mirissa Beach**

2. Port Name

**Not available**

Date **2020 / 04 / 18**



For Director General

Department of Fisheries and Aquatic Resources

Registration Certificate recieved

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

Signature of Applicant

Management Division - Vessel Registry Unit

Sunday, April 17, 2022





IMULA1844MTR

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கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம், கொழும்பு, இலங்கை  
Department of Fisheries and Aquatic Resources, Colombo, Sri Lanka

1 වැනි කොටස / பகுதி I / PART I

යානයේ ලියවිල්ලේ කිරීමේ සහතිකය / பதிவுச் சான்றிதழ் / Certificate of Boat Registration

Table with 4 main rows and multiple columns containing registration details: 1. Registration No./Name of Boat (IMULA1844MTR), 2. Date of First Registration (05/11/2021), 3. Description of the Fishing Craft (Material used for construction of hull: Fibre, Date of construction: 2021, Type of Craft: IMUL, Length and width of craft: 46.98 Ft), 4. Displacement and Space (No of Crew) (47RBM08), 5. Fishing Equipment (NET HAULER, LINE HAULER), 6. Boatyard Number (47RBM08), 7. Navigation & Communication equipment (SSB, SATELLITE NAVIGATOR, DEPTH SOUNDER, RADAR).

II වැනි කොටස / பகுதி II / PART II

අයිතිකරු පිළිබඳ විස්තර / உரிமையாளர் பற்றிய விபரம் / Description of Owner

Table with 3 rows containing owner details: 1. Full Name of the Owner (R.Roopasingahe), 2. Address (216, Badugoda, Mirissa south), 3. Insurance Policy No. and Date of Insurance, 4. Normal place where the craft is kept (Matara, Mirissa Fisheries Harbour).

අත්සන / கையொப்பம் / Signature  
අයිතිකරු/உரிமையாளர் / Owner



05/11/2021

සාධකයේ ජනරාල් / பணிப்பாளர் நாயகம் / Director General  
සිවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව  
கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம்  
Department of Fisheries and Aquatic Resources

නිකුත් කල දිනය / வழங்கப்பட்ட திகதி  
Date of Issue





IMULA1655MTR

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

1 වැනි කොටස / பகுதி I / PART 1

යනාබන් ලියාපදිංචි කිරීමේ සහතිකය / பதிவுச் சான்றிதழ் / Certificate of Boat Registration

Table with 4 main rows and sub-rows. Row 1: Registration No./Name of Boat (IMULA1655MTR). Row 2: Date of First Registration (13/12/2021). Row 3: Description of the Fishing Craft. Sub-rows include: (a) Material used for construction of hull (Fibre), (b) Date of construction (2021), (c) Type of Craft (IMUL), (d) Length and width of craft (47.18 Ft). Row 4: Motorized details. Sub-rows include: (i) Engine Number (DE08 MWM01 177203), (ii) Type (INBM), (iii) Horse power (230PS), (iv) Fuel used (Diesel). Row 5: Displacement and Space (No of Crew) (NSLB - 367). Row 6: Fishing Equipment (NET HAULER) and Navigation & Communication equipment (RADAR, SATTELITE NAVIGATOR, SSB).

II වැනි කොටස / பகுதி II / PART II

අයිතිකරු පිළිබඳ විස්තර / உரிமையாளர் பற்றிய விபரம் / Description of Owner

Table with 3 rows. Row 1: Full Name of the Owner (D.H.J.P.Chaminda Thushara), N.I.C. Number (752962367v), Address (229/C, Miriyawella Road, Mirssa). Row 2: Insurance Policy No. and Date of Insurance. Row 3: Normal place where the craft is kept (Matara, Mirissa Fisheries Harbour).

අත්සන / கையொப்பம் / Signature  
අයිතිකරු/உரிமையாளர் / Owner

13/12/2021

අධ්‍යක්ෂ ජනරාල්/பணிப்பாளர் நாயகம் / Director General  
සීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව  
கடற்றொழில் மற்றும் நீரியல் வளங்கள் திணைக்களம்  
Department of Fisheries and Aquatic Resources

නිකුත් කල දිනය  
வழங்கப்பட்ட திகதி  
Date of Issue



bluetraker.net/SecondScreenSriLanka/#

show all devices

Map view

- Multiple vessel voyage replay
- VMS message view
- Reporting
- User management
- BlueTraker commands
- Zone manager
- Alert manager
- Vessel manager
- Vessel communication
- Harbour manager
- Insert position

Custom areas +

Harbours +

Voyage replay +

Device ID: 22897  
 Latitude: -8.1776067° (8° 10' 39")  
 Longitude: 63.9346833° (63° 56' 5")  
 Has external power: True  
 GPS time: 22.3.2022 5:44:52 (UTC)  
 22.3.2022 11:14:52 (Local time)  
 GPS quality: 3D fix  
 Speed (kn): 6.14

Lat: Lon = -8.18017 ; 64.06595

86°F Sunny 9:46 AM 4/7/2022

SRI LANKA VMS

%1655MTR

Advanced

English About dfar.admin@bluetraker.com

show all devices

Custom areas +

Harbours +

Voyage replay +

Device ID: 22135  
 Latitude: -8.8555133° (8° 51' 20")  
 Longitude: 63.9921117° (63° 59' 32")  
 Has external power: True  
 GPS time: 14.3.2022 21:07:29 (UTC)  
 15.3.2022 2:37:29 (Local time)  
 GPS quality: 3D fix  
 Speed (kn): 5.48

Lat: Lon = -6.03099 ; 77.72819



**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 Article 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](mailto:secretariat@siofa.org)) if you need further information.

Kind regards

Thierry CLOT  
SIOFA Executive Secretary