INTRODUCTION

1. This paper covers two issues requiring consideration by TCC and subsequent recommendation to the Commission. First, an update is provided on actions taken by the Secretariat with regard to the inclusion of the vessel F/V *Fu Lien No. 1* on the WCPFC IUU Vessel List at WCPFC 7 and matters for TCC consideration. The second issue relates to the current WCPFC IUU Vessel List as approved by WCPFC7 for further review by TCC and subsequent recommendation to WCPFC8 in accordance with CMM 2010-06.

**F/V FU LIEN NO.1**

2. WCPFC7 agreed to place the vessel F/V *Fu Lien No1* on the WCPFC IUU Vessel List for fishing on the high seas in the WCPF Convention Area in a manner which undermined WCPFC conservation and management measures.

3. Noting that the *Fu Lien No.1* was stateless at the time of the IUU fishing violation:-

201. WCPFC7 agreed by consensus to place the *Fu Lien No.1* on the WCPFC IUU vessel list. WCPFC7 additionally noted that the procedures for de-listing an IUU vessel under CMM 2007-03 require action by the flag State. However, in the case of the *F/V Fu Lien No. 1*, it was listed for being without nationality and harvesting species covered by the WCPF Convention while on the high seas of the Convention Area. Therefore, the process for de-listing the *F/V Fu Lien No. 1* requires special arrangements. Accordingly, the Commission agreed:

   i. that the Secretariat will write to the vessel’s current flag State in order to seek its assistance in resolving this matter. The Commission further agrees that in the event that the current flag State of Georgia determines that this matter is outside its jurisdiction, then the following actions by the owner of the *F/V Fu Lien No. 1* will be deemed sufficient for the purpose of removing the vessel from the IUU list.

    a. payment of voluntary contribution to the Commission in an amount deemed satisfactory by the Commission;
b. ensuring that the vessel is flagged to a responsible flag State; and
c. a written commitment by the vessel owner and flag State that it will comply with the WCPF Convention and its conservation and management measures.

3. The Secretariat wrote to the Republic of Georgia, the new flag State of the F/V Fu Lien No. 1 as directed by the Commission and received notification that F/V Fu Lien No. 1 had been removed from the Georgian registry. The Republic of Georgia also provided to the Secretariat the contact details of the owners of the F/V Fu Lien No. 1. The Secretariat has contacted the owners of the F/V Fu Lien No. 1 but has not received any response to date.

4. The United States of America which originally nominated the F/V Fu Lien No. 1 for listing on the WCPFC IUU Vessel List has estimated that the value of the catch of the F/V Fu Lien No. 1 was approximately US$1.5 million and suggested that an appropriate ‘voluntary contribution’ by the owners of the Fu Lien No. 1 to seek removal from the WCPFC IUU list would be US$150,000.

**WCPFC IUU VESSEL LIST FOR 2011**

5. Paragraph 14 of CMM 2010-06 requires TCC to consider the current WCPFC IUU Vessel List and, based on suitably documented information provided and circulated, recommend to the Commission which, if any, vessels should be removed from the current WCPFC IUU Vessel List.

6. Attachment A is the current WCPFC IUU Vessel List as approved at WCPFC 7 for review by TCC 7 and subsequent recommendation to the Commission.

7. No additional information has been received by the Secretariat in respect of the vessels on the current WCPFC IUU Vessel List.

**CONCLUSION**

8. TCC is invited to:-

i. Consider and advise the Commission on the financial level that would be appropriate as a ‘voluntary contribution’ from the owners of the F/V Fu Lien No. 1 to seek its removal from the WCPFC IUU List of Vessels if they wish to.

ii. review the WCPFC IUU List in Attachment A and provide advice to WCPFC 8 on the WCPFC IUU List of Vessels For 2012.
WCPFC IUU VESSEL LIST FOR 2011  
10 December 2010

Note: Information provided in this list is in accordance with CMM 2007-03 para 19

<table>
<thead>
<tr>
<th>Current name of vessel (previous names)</th>
<th>Current flag (previous flags)</th>
<th>Date first included on draft WCPFC IUU Vessel List</th>
<th>Flag State Registration Number/IMO Number</th>
<th>Call Sign (previous call signs)</th>
<th>Owner/beneficial owners (previous owners)</th>
<th>Notifying CCM/Contact Details</th>
<th>IUU activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neptune</td>
<td>Georgia</td>
<td>2 July 2010</td>
<td>C-00545</td>
<td>4LOG</td>
<td>Space Energy Enterprises Co. Ltd.</td>
<td>France for French Polynesia</td>
<td>Fishing on the high seas of the WCPFC Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a)</td>
</tr>
<tr>
<td>Fu Lien No 1</td>
<td>Georgia</td>
<td>2 July 2010</td>
<td>IMO No 7355662</td>
<td>4LIN2</td>
<td>Fu Lien Fishery Co., Georgia</td>
<td>USA</td>
<td>Is without nationality and harvested species covered by the WCPFC Convention in the Convention Area (CMM 2007-03, para 3h)</td>
</tr>
<tr>
<td>Jinn Feng Tsair No.1</td>
<td>Chinese Taipei</td>
<td>7 Dec. 2007</td>
<td>CT4-2444</td>
<td>BJ4444</td>
<td>Hung Ching Chin, Pingtung, Chinese Taipei</td>
<td>Federated States of Micronesia</td>
<td>Fishing in the Exclusive Economic Zone of the Federated States of Micronesia without permission and in contravention of Federated States of Micronesia’s laws and regulations. (CMM 2007-03, para 3b)</td>
</tr>
<tr>
<td>Senta</td>
<td>Panama (Japan)</td>
<td>4 Jun. 2008</td>
<td>IMO No.8221947</td>
<td>HOFG</td>
<td>Chin Fu Fishery, Chinese Taipei</td>
<td>France (French Polynesia)</td>
<td>Transhipping on the high seas of the WCPFC Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a)</td>
</tr>
</tbody>
</table>

Note: Now named Sun Fu Fa (Shin Takara Maru)
| Taipei | 161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei | E-mail: mimra@ntamar.net | Economic Zone of the Republic of the Marshall Islands without permission and in contravention of Republic of the Marshall Islands’s laws and regulations. (CMM 2007-03, para 3b) |