

FRANCE and Australia are now working together to prevent illegal fishing in the Southern Ocean.

The two countries have this year been implementing a new treaty that came into effect on February 1 enabling co-operative surveillance efforts to target illegal, unregulated and unreported (IUU) fishing in the Southern Ocean.

In particular, the co-operation is targeting illegal Patagonian toothfish catching in French and Australian waters in the region.

Tom Marshall, deputy director-general of Australian Customs Coastwatch, and **Régis Gaillard**, manager of CROSS Réunion, the French Authority responsible for co-ordinating fisheries surveillance operations within French waters in the Southern Ocean, set out what the project entails.

How co-operation is helping to stop Southern Ocean toothfish poaching

France and Australia mount joint patrols

Why is this type of co-operation necessary?

Bilateral co-operation is essential for several reasons:

To maintain a permanent presence and deter IUU fishing operations in both French and Australian waters in the Southern Ocean.

Improve the effectiveness of patrols through the exchange of fisheries officers, intelligence and related information.

Deter IUU fishing vessels by removing possible refuges as IUU fishing vessels have, in the past, moved between French and Australian waters to avoid detection and apprehension.

Share the outcomes of and costs associated with surveillance and the associated dissemination of intelligence.

Australia and France have common interests in the fight against IUU fishing in the Southern Ocean. This new treaty greatly improves bilateral co-operation and enhances the effectiveness of existing efforts to protect the sovereign interests of both countries in sub-Antarctic waters.

What means of surveillance do you have?

Australia: the customs and fisheries patrol vessel *Oceanic Viking*, a modern and robust vessel suited for year-round patrol operations in the Southern Ocean, was introduced in November 2004. Customs and fisheries



personnel aboard are trained specifically for operational deployment in the Southern Ocean. Royal Australian Navy vessels have also been used in the past to assist with enforcement operations in the region.

France: There are several kinds of vessels in use for surveillance in French waters – helicopter-capable frigates and the Southern Ocean patrol vessel *Albatros*.

Highly trained French commandos are deployed on these vessels to conduct boarding operations. The

patrol vessel *Oasis* also conducts regular surveillance patrols in southern waters.

In addition, both countries have high-performance satellite surveillance systems in use year-round. They provide complete satellite coverage of all French and Australian waters.

Australian and French fisheries officers also take part in operational exchanges in accordance with the bi-lateral treaty.

What results has this

co-operation yielded to date?

The most successful outcome to date was the apprehension of the modern and valuable fishing vessel *Apache*. This vessel was detected by satellite surveillance systems operating inside the Heard and McDonald Islands EEZ (Australia).

She subsequently entered the Kerguelen Islands EEZ (France) where she conducted fishing operations. Information provided by satellite surveillance systems regarding *Apache's* position contributed to the vessel's

Top: flying the flags of Australian customs, France and CCANLR in a new joint effort to beat Southern Ocean illegal fishing.

Above left: the French navy helicopter of the frigate *Nivose* hovers above the fishing vessel *Linca* inside the French EEZ of Kerguelen.

Above right: the Australian customs and fishery patrol ship *Ocean Viking* and the fishing vessel *Sea Storm* inside CCANLR waters.

Pirate toothfish liner scuttled

Charges blew up the intake pipes aboard *Egip* after she had been prepared for scuttling off the Falklands. Three minutes later she had sunk.





A gun and ammunition reinforce the presence of the Australian customs and patrol ship *Oceanic Viking* as she intercepts the Cambodian-flagged fishing ship *Taruman* on the high seas. She was escorted to Australia for further investigations.

apprehension by the French patrol vessel *Albatros*. Fishing gear used by *Apache* inside French waters was also recovered. Prosecution action taken against the vessel was successful, resulting in *Apache's* forfeiture to the French government.

In January 2004 the Royal Australian Navy vessel HMAS *Warrumungu* apprehended the IUU fishing vessel *Maya V* after she was detected operating illegally within Australia's Heard and McDonald Islands EEZ.

Maya V was escorted to Fremantle, Western Australia, and was forfeited to the Australian government. Legal proceedings resulted in all 40 crew members being fined and given good behaviour bonds.

Another favourable outcome has been the exchange of fisheries officers between French and Australian patrol vessels that helps to share knowledge and intelligence regarding the activities of IUU fishing vessels in the Southern Ocean.

Cambodian flag arrest

SINCE this interview *Oceanic Viking* apprehended the Cambodian-flagged *Taruman* detected operating in the Australian EEZ around Macquarie Island, some 850 n. miles south of Tasmania (see *FNI*, November 2005). The vessel was suspected of fishing illegally and was boarded on the high seas with the permission of the Cambodian government. She was escorted to Hobart where investigations are continuing.

What results do you anticipate in future?

We expect patrol vessels will conduct operations in both French and Australian waters. We anticipate that

French and Australian fisheries officers will undertake surveillance operations and apprehend IUU fishing vessels operating within the Heard and

McDonald Island EEZ, Kerguelen Islands EEZ, and Crozet Islands EEZ. This would occur with French and Australian government approval.

French and Australian fisheries officers will also participate in training for boarding and apprehension operations, enhancing familiarity with the operational procedures of both countries.

Looking forward, we anticipate the elimination of illegal fishing activity within French and Australian waters within the Southern Ocean.

Suspected IUU fishing vessels operating inside CCAMLR waters close to French and Australian waters will also be subject to increased scrutiny.

The treaty will allow us to co-operate to widen surveillance to all CCAMLR areas in the Southern Ocean to protect against exploitation of precarious fish stocks in this remote and ecologically sensitive region.

In the short-term, we are also working to extend our surveillance effort in co-operation with South Africa.

THE PIRATE toothfish longliner *Elqui* has been scuttled off the Falkland Islands.

The Conakry, Guinea, registered ship was found in March this year illegally fishing Patagonian toothfish in South Georgia waters.

She had been reported by the cruise ships *Mikheev* and *Explorer II*. Then, Kevin MacFarlane, a government of South Georgia and the South Sandwich Islands (GSGSSI) fishery officer, boarded her from the patrol ship *Sigma*, arrested her and brought her back to Stanley, in the Falkland Islands, for prosecution.

Her owners identified themselves as the Geneagles Corporation and they and the captain were convicted of fishing without a licence, entering the maritime zone

without reporting and having unstowed gear in the zone.

However, her owners failed to pay the total fines of £250,000, so the ship and catch were awarded to the GSGSSI by the court.

"The principal objective of the GSGSSI was to ensure that the vessel could not fish illegally again. She had virtually no commercial value to a legal operator and, as GSGSSI would have no control over her final ownership if there were attempts to find a buyer, sinking or scrapping were considered the only two options.

"Scuttling became the preferred option as the costs of her removal to a scrapyard far outweighed the scrap value of the ship. This was largely because the ship was not in a fit condition to sail to

another port safely under her own power and the costs of towing were extremely high.

"It was clear that the vessel could not be sunk in the state in which she was left by her previous owners, so legal and environmental advice were sought to ensure that the planned scuttling was done correctly and that there would be no pollution risk.

"So began many weeks of complicated and often unpleasant cleaning to make her ready for sinking.

"At the end of this process the ship was an empty shell with no remaining loose materials or oils, gasses, etc., which could cause adverse environmental impact or hazard to other shipping.

"The Executive Council of the Falklands Islands Government agreed a site for

the ship to be scuttled close to a natural rock and reef.

"UK military bomb disposal experts agreed to set charges to effect the sinking and, once more, the patrol ship *Sigma* entered the frame as her owner Byron Marine Ltd. agreed to tow *Elqui* to the point for sinking.

"At first light on Thursday, October 6, local marine engineer Mike McKay and Gordon Liddle, GSGSSI operations manager, boarded *Elqui* from *Sigma*.

"Mike McKay opened engineroom valves to allow a faster inflow after the charges had breached the intake pipes and, together, they opened port holes and loosened hatch covers.

"The military then boarded alone to do the final explosives work. With

everyone safely back aboard *Sigma*, it fell to the assistant operations manager Richard McKee to press the remote firing device.

"The charges worked perfectly and, just three minutes later, *Elqui* was below the surface.

"It was a costly exercise for the South Georgia authorities, but they hope that this will send a strong message to anyone thinking of fishing illegally in South Georgia or off the Falklands.

"We have the skills and abilities locally - and the determination - to ensure that the strongest actions possible are taken to preserve our fish stocks and marine environment, and to protect the rights of honest fishermen who pay for licences to fish our waters."