

POSITION STATEMENT OF LIBERIA ON NEW BAI I NO.168

REPUBLIC OF LIBERIA  
BUREAU OF NATIONAL FISHERIES, MINISTRY OF AGRICULTURE

20TH SPECIAL MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF  
ATLANTIC TUNAS (ICCAT)  
Vilamoura, Portugal, 14 to 21 November 2016

Mr. Driss Meski  
Executive Secretary  
ICCAT  
Calle Corazón de María, 8, Sixth Floor,  
28002 Madrid, Spain

Dear Mr. Meski:

Liberia, a Contracting Party (CPC) to the 20<sup>th</sup> Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT); by and through the Bureau of National Fisheries (BNF), Ministry of Agriculture (MoA), the Competent Authority responsible for the regulation, conservation and sustainable management of the fisheries resources in Liberian waters seizes this great opportunity to present to this August body its **Position Statement** with reference to **Record 08-09** as indicated in **Doc COC-307/2016** of ICCAT, as follow:

**That**, Liberia expresses thanks and appreciation to all contracting parties most especially Senegal, Chinese Taipei and China as well as ICCAT for the level of cooperation exhibited on the subject matter;

**That**, Liberia commits itself fully to the method, findings and recommendations outlined in its investigative report referenced above;

**That**, based on the 2015 industrial fishing vessel list/registry of the Bureau of National Fisheries, Ministry of Agriculture (BNF/MOA), it is established that the M/V New Bai I No. 168 was **not** registered and licensed as a fishing vessel by the BNF/MOA in 2015;

**That**, M/V New Bai No 168 was **not licensed** and or **authorized** by BNF to transship tuna and tuna like species in Liberian waters or waters beyond national jurisdiction.

**That**, it is established that the M/V New Bai I No. 168 was provisionally registered to Liberia by the Liberia Maritime Authority (LiMA) for a two (2) month period (October 5 - December 4, 2015). The provisional registration was done under the LiMA's domestic registration;

**That**, although, M/V New Bai No. 168 was issued domestic provisional certificate of registration by the Liberia Maritime Authority (LiMA), it had **not** completed the process to fully qualify as Liberian fishing vessel with the Bureau of National Fisheries, Ministry of Agriculture;

**That**, it is established that after the issuance of the Domestic Provisional Registration Certificate to M/V New Bai I No. 168 by the LiMA, the October 15-16, 2015 transshipment off the Senegalese waters is the first reported unauthorized transshipment.

**That**, based on the inspection report provided by the Senegalese Authorities, M/V New Bai I No. 168 transshipped at sea on October 15-16, 2015 without satisfying the required conditions of section (3) of International Commission for the Conservation of Atlantic Tunas (ICCAT) **recommendation 12-06**. According to paragraph 8 and 9 of that section, "Transshipment of tuna and tuna-like species and other species caught in association with these species may only be authorized with regard to carrier vessels authorized in accordance with this Recommendation. [...]"

**That,** Liberia as a CPC has displayed high level of responsibility through cooperation and exchange of information with the Senegalese fisheries authority as indicated in its investigative report;

**That,** upon receiving information from the Senegalese fisheries authorities relative to the activities of illegal transshipment in the Senegalese waters by M/V New Bai No 168, the Coordinator of BNF sent an e-mail communication to the vessel Agent in Dakar **not** to sail M/V New Bai No 168 to Monrovia for pre-licensing inspection. *Copy of letter in response to the Coordinator email message hereto attached.*

**That,** although the M/V New Bai No 168 had applied for licence from BNF, the application had not been approved and in accordance with the Liberian law, fishing vessel had to obtain fishing licence or authorization before conducting fishing or fishing related activities. Therefore, the action by the vessel is considered illegal and unauthorized by the Competent Fisheries Authority in Liberia, BNF.

**That,** the Provisional Certificate issued by LiMA was intended for M/V New Bai No 168 to sail to Liberia to conduct physical inspection, but no to get involve in transshipment; notwithstanding, our Principals both at MOA and LiMA are committed to resolve this issue as soon as possible. ICCAT will be officially informed about the final solution in this regard.

**That,** the vessel New Bai No. 168 had been **delisted** from the LiMA's registry as at July 29, 2016. *Copy of the delisted certificate hereby attached.*

**That,** Liberia shall take punitive measures against all person (including non citizen), all vessels (including foreign vessel) that contravenes the Fisheries Regulation of Liberia; *Application of Regulation; [Part I; 2 (d) (ii) and (e)] pp 8-9.; Part V: 35 (1) (iii) (b);*

**That,** Liberia shall implement to the fullest, "The Republic of Liberia, Liberia Maritime Authority, Liberian Maritime Regulations – Safety, Documentation and Identification of Vessels; *Non Compliance with International Convention and Agreements; Penalty Revised Version RLM-108 Series 2/2013 Chapter II 2.35 (1)(2)(3)(4) p 7;*

**That,** the BNF has revised its Fisheries Regulation and currently awaiting Executive Gazette; and **that,** the Liberia Fisheries Act (Bill) is currently before the legislature for concurrence and Liberia shall not hesitate to exercise applicable laws to fishing vessels that may contravene the Liberia fisheries law and international fisheries law upon enactment of the Bill.

**That,** Liberia conversant of its responsibility as a flag state shall provide account of all vessels conducting fishing and fishing related activities under its registry in its bid to uphold the goals, objectives and principles of ICCAT, other RFMOs as well as international binding and non-binding fisheries instruments;

**That,** Liberia continues to work with all the CPCs (Senegal, Chinese Taipei and China) involved to provide detail information that will assist in the investigation process in order to ensure total resolution of the issue of M/V New Bai No 168 and any other IUU related case.

**That,** Liberia continues its investigation and shall not hesitate to forward unfolding information to ICCAT in due course;

**That,** the vessel New Bai No 168 be listed as an **illegal, unreported and unregulated (IUU)** vessel under ICCAT Convention.

Thank you so much for your kind consideration.

Kind regards,

WILLIAM Y. BOEH  
**COORDINATOR, BNF/Head of Delegation  
Monrovia, Liberia**