



STOP ILLEGAL FISHING CASE STUDY SERIES **13**

March 2017

A ghost vessel in Somali waters: GREKO 1

Background

In 1990, a fishing vessel – DEEPTHI 1, sometimes spelled DEEPTI 1 – was constructed in, and flagged to India. Thalasko Alieftiki NE, a Greek company, purchased the vessel in June 2003, renamed it GREKO 1 and after briefly using a Georgian flag imported the vessel to Greece.

On 26 March 2004, the vessel was registered on the European Commission Fishing Vessel Registry as flagged to Greece. Since 2010, the vessel was known to be active in Somali waters, carrying out fishing activities. IHS Maritime and Trade¹ records show that in March 2013, a vessel named GREKO 1 was entered into the Belizean vessel registry and was flagged to Belize on 3 December that year.

Meanwhile, on 8 July that year, the Greek-flagged vessel GREKO 1 and her sister ship GREKO 2 were listed as scrapped while the owner received EUR 1.4 million under an European Union (EU) capacity reduction scheme.

In June 2016, Somalia attended their first FISH-i Africa Task Force meeting, in which they informed members that there was a fishing vessel named GREKO 1, flagged to Belize and claiming to be licensed to fish in the Somali exclusive economic zone (EEZ). Somalia explained that this claim was false and requested that should the vessel seek port access in a FISH-i Africa port, it be denied and an inspection of the vessel carried out.

The vessel had been active in Somali waters for several years, using Mombasa port, Kenya to offload its catch. Kenya had attempted to contact Somalia in 2015 regarding clarification of the licence but a lack of communication channels resulted in the vessel being allowed to offload and depart unhindered.

In September 2016, GREKO 1 attempted to enter port in Mombasa. The Kenyan authorities denied port access and informed Somalia. On 5 October, the vessel returned to Mogadishu and anchored, awaiting its inspection that was carried out two days later by representatives from the Somali police and coastguard, the Ministry of Fisheries and Marine Resources and supported by the FISH-i Africa Technical Team.

STOP ILLEGAL FISHING CASE STUDIES aim to:

Define best practice by analysing practical examples of different approaches in the fight against IUU fishing. They also demonstrate the magnitude of activities and partnerships underway to stop illegal fishing and provide the basis for policy advice.



The story
continued

The following violations were identified:

- Operating in the Somali EEZ without a valid licence.
- Using forged licences and documents.
- Fishing in an area reserved for Somali fishermen.
- Using fishing gear of a type that is illegal under Somali law.
- Not reporting any data regarding its activities and operations regarding effort and catch to the Somali authorities.

On the morning of 13 October 2016, GREKO 1 fled Mogadishu. However, five days later, the captain reported a sick crew member, enacting 'force majeure' to gain port access in Mombasa. Kenya contacted Somali authorities who contacted Belize authorities once more. The Belize authorities issued a 'prohibition-to-sail' notice and suspended the high seas fishing licence, making it illegal for the vessel to leave port without prior authorisation from Belize to do so. A second inspection was carried out and the registered owner was contacted and presented with the legal charges.

The Somali authorities settled outside of court with the registered owner, the Panamanian Mare Fishing Co., and the USD 65 000 fine agreed was paid. The Director and President of the Panamanian company,

Stavros Mandalios (a Greek national and resident), with whom the negotiation was conducted, was the same beneficial owner who in 2013 received EUR 1.4 million for the scrapping of the Greek-flagged GREKO 1 and a sister ship, the GREKO 2, in Greece.

The Greek company Thalasco Fishing Shipping Co. is the holding company of Mare Fishing Co. According to the United Nations (UN) Ocean Atlas, Mr Mandalios is also the General Manager of Thalasco Fishing Shipping Co.

The Belize registration documentation for GREKO 1 listed the previous name of the vessel as DEEQA 1 and the previous flag as Somali. However, in January 2017, photographs of Belize-flagged GREKO 1 taken during its inspection in Mogadishu revealed the name DEEPTHI 1 embossed on the hull of the vessel. IHS Maritime records have only one vessel linked to that name (DEEPTI 1), which is the Greek-flagged GREKO 1, allegedly scrapped in 2013. This indicated that the Greek vessel might not have been scrapped. This is also true for the Belize-flagged GREKO 2, which was anchored alongside GREKO 1 in Mombasa and has the name DEEPTHI 2 embossed on its hull. A name that only the Greek-flagged GREKO 2 is associated with in IHS Maritime's records.

Key features and outcomes

- **Cooperation between Kenya and Somalia** leading to the denial of port access and subsequent inspection of the vessel.
- **Observation of GREKO 1 by the EU NAVFOR** placed the vessel in the Somali EEZ, south of Puntland waters, within the area reserved for Somali fishermen.
- **Assistance from FISH-i Africa's Technical Team** in the inspection of the vessel and investigating the vessel's history and identity.
- **Use of photographic evidence** to determine that the GREKO 1 inspected in Mogadishu was potentially the same vessel as the Greek vessel which had been recorded as scrapped.
- **The owner could sell the vessel's catch** to finance the fine; the estimated value of the catch was USD 300 000, while the fine was USD 65 000.
- **Belize prevented the vessel from sailing and suspended its high seas fishing licence**, forcing the vessel to remain in Mombasa until Belize authorised its departure.

Challenges

- **The use of different alphabets makes it hard to trace vessels and companies** as a translation from one language to another means there is a possibility for the spelling to change slightly; resulting in confusion for investigators and a shield for perpetrators.
- **Potentially false historical records** were given to Belizean authorities when initially registering the vessel made it difficult to track the true identity of the vessel.
- **Complicated web of ownership** with the flag state being Belize, the registered owner company being Panamanian, and the holding company being Greek, while the operator is a branch of the Greek company in the United Arab Emirates.
- **Access to information such as flag registrations and fishing licences are restricted** and therefore requests for access must be made, which may take time and thus delay or prevent prosecution and sanctions from being imposed.

Drivers

The main drivers in this case were three-fold: the communication and will by Somalia regarding the fraudulent licence and intent to pursue the vessel, the cooperation and diligence of the Kenyan authorities, and the joint effort in inspecting the vessel and uncovering its history.

Lessons learned

- **Communication mechanisms and structures between coastal, port and flag States are vital** – only with these in place can illegally caught fish be prevented from entering the market.
- **Photographic evidence can reveal details that would otherwise be missed** – a photo of GREKO 1 during its inspection in Mogadishu caught the light at a perfect angle, casting a shadow over the embossed previous name, and indicating that the vessel may not have been scrapped as claimed.
- **Sanctions must act as effective deterrents** – fines must prevent any gain from the IUU activity and as such be more than the value of the catch.



Policy implications

- The effectiveness of decommissioning policies requires further examination.
- State's ability and willingness to investigate and prosecute nationals engaging in illegal fishing and fraud outside of their waters requires strengthening.
- A global database of information about all fishing vessels over 100 GT including their IMO number, name, flag and fishing authorisations is needed to enable tracking fishing vessels around the globe.
- In addition to recording information on fishing vessels in databases, the identity of their owners and operators is also required to improve the transparency of business practices.
- The availability of vessel and licence documents in the public domain would enable improved verification and cross-checking by licensing and flagging authorities.

Further Information

FISH-i Africa unites eight East African coastal countries along the Western Indian Ocean, an alliance which is showing that regional cooperation, coupled with dedicated analysis and technical expertise can stop illegal catch getting to market, and prevent illegal operators pursuing their lucrative business unhindered.

Further information on FISH-i Africa and downloadable FISH-i investigations are available at www.fish-i-africa.org.



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Footnotes

ⁱ IHS Maritime and Trade is the agency responsible for maintaining a record of International Maritime Organization (IMO) numbers.



Players involved

- **Somali fishing authorities:** communicated the issue to the FISH-i Africa Task Force, participated in the investigation and contacted the flag State and owners.
- **Somali navy and police force:** aided in the investigation in Mogadishu.
- **Kenyan fishing authorities:** denied port access, collaborated with Somalia and inspected the vessel in Mombasa.
- **Belize fishing authorities:** suspended the fishing authorisation and prevented the vessel from leaving Mombasa.
- **FISH-i Africa:** shared and cross-checked information and provided technical and investigative assistance, including assisting in the inspection in Mogadishu.
- **EU NAVFOR:** provided evidence on the location and activity of the vessel.

Next steps

To facilitate further cooperation, future efforts should include:

- Strengthening of the FISH-i Africa Task Force to work closely with flag States active in the Western Indian Ocean to broaden and improve cooperation to deal with cases such as this.
- Increase the availability, accuracy and access to fishing vessel information. Without a mandatory vessel identifier, operators can change the name and flag of a vessel, at any time, for any reason and simply fake or forge documents to match.
- Making public electronic information on flagging and licences; this information needs to be in the hands of all to prevent the use of faked and forged documents.
- Inspecting, cross checking and verifying vessel information by linking implementation of port State measures with flag and coastal State due diligence processes.



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