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# Mapping the extent of Chinese ownership and its linkages to IUU fishing amongst Sierra Leone's trawl sector

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## Introduction

Illegal, unreported, and unregulated (IUU) fishing is increasingly seen as a form of transnational organised crime<sup>1</sup>. It is commonly associated with offences such as forgery, fraud, money laundering, corruption, and human trafficking<sup>2</sup>. IUU fishing is highly lucrative, resulting in billions of dollars of illicit financial flows every year<sup>3</sup>.

Key to dismantling the networks behind these operations is the ability to identify and hold to account the actors who are the orchestrators of illicit activity and the ultimate recipients of its profits. This is no easy task. IUU fishing operations may span continents and oceans, involving players far removed from activities at sea. Opaque corporate structures are developed to conceal the identities of beneficiaries, allowing them to profit from IUU fishing with low risk of detection<sup>4,5</sup>. Tracking financial flows and reaching behind corporate arrangements requires a high degree of cooperation across agencies, borders, and disciplines.

Given these challenges, fisheries enforcement has traditionally targeted the registered owners, local agents, and captains of fishing vessels. However, individuals that hold actual operational and economic control of the vessels can assign new entities to these roles, continuing their activities and evading sanctions<sup>6</sup>.

There is also the risk of inadequate sanctions being levied that do not consider the means available to the ultimate beneficial owners (financial and otherwise) and therefore fail to serve as an effective deterrent against engaging in future illegal activities<sup>7</sup>.

The waters of Sierra Leone, particularly along the northern Sierra Leonean coast, have long been known for their abundance and diversity of marine species<sup>8</sup>. Many of these species are of local and national importance for livelihoods and nutrition, whilst simultaneously making a significant contribution to global biodiversity. Today, however, the continued overcapacity of the fishing fleet in the country's waters and broader region, coupled with stressors such as IUU fishing and global heating, has had catastrophic impacts on fish populations and ecosystem health<sup>9</sup>.

A number of foreign fleets are, and have historically been, present in Sierra Leone, including those from Europe, South Korea and Russia<sup>10</sup>. More recently, the country reflects a broader pattern seen throughout West Africa as China's distant water fleet (DWF) has become the dominant actor in its industrial trawl sector. This occurs in the context of a broader sphere of Chinese influence and investment, with plans for a Chinese-funded fishing harbour to be constructed in the country, as well as cooperation between the two countries on aquaculture projects, monitoring, control, and surveillance (MCS) assistance, scientific support for stock assessments, and capacity building for official staff and fish farmers<sup>11,12</sup>.

The increased presence of Chinese vessels in the waters of African coastal states is linked to the nation's Belt and Road Initiative (BRI), which was developed in 2013 as a means of increasing overseas cooperation and investment through infrastructural projects in over 140 countries<sup>13</sup>. In 2018, estimates suggest that the total cost of global projects either completed, in progress or planned as part of the initiative amount to US\$575 billion<sup>14</sup>. In its most recent strategy papers on its DWF industry, the Chinese government has been encouraging Chinese DWF companies to use investment and harbour/base construction to gain fishing access in foreign countries<sup>15,16</sup>. Since then, several African nations have signed or have constructed fishing harbours with cooperation from China<sup>17</sup>.

Globally, Chinese fishing ventures have been criticised for their lack of transparency, which can make it difficult to determine the true level of fishing capacity and catch, and whether activities are legal and sustainable. They increasingly operate using shell companies, artificial joint ventures, and 'flags of convenience' to access fisheries and hide their true beneficial ownership. 'Flags of convenience' and 'flag-hopping' enable vessels to easily change registries and identities - which helps to avoid identification and sanctions for wrongdoing.

The Chinese DWF has also been criticised for its engagement in fishing violations including operating without valid licences, fishing in prohibited areas, using banned fishing gears, and under-reporting catch<sup>18</sup>. However, these widespread illegalities have not deterred some West African countries from registering and licensing an increasing number of Chinese vessels in recent years.

This briefing provides an overview of the current state of play regarding Chinese-flagged or owned fishing vessels operating in Sierra Leone. The analysis is based on the latest complete published list of vessels authorised to fish in Sierra Leonean waters covering the year 2020, alongside other internet sources including government publications and non-governmental organisation (NGO) reports. It seeks primarily to explore two issues: the prevalence of Chinese-owned trawlers and supporting fleets in the country's Exclusive Economic Zone (EEZ) and the extent to which these vessels, and/or their owners, have a history of IUU fishing. This research focuses on the country's trawl sector, given the year-round presence of the vessels in Sierra Leone's waters (as opposed to tuna vessels which are sporadically present dependent on the season), and the socio-economic and ecological harm that is associated with trawling vessels in West Africa and more broadly<sup>19</sup>.

The findings of this briefing have important implications for fisheries governance in China and Sierra Leone, adding to a growing body of research documenting both the magnitude and behaviour of the Chinese DWF<sup>20</sup>. A series of recommendations are made with the goal of increasing transparency as a means of addressing IUU fishing in the country, thereby driving improvements in ecosystem health with all the economic, environmental, and social benefits that this entails.

## Status of Sierra Leone's marine fisheries resources

The Sierra Leonean fishing industry is vital to both the country's economy and national food security. Estimates suggest that it contributes approximately 10% of the country's gross domestic product, employing over 500,000 people either directly or indirectly<sup>21</sup>. Furthermore, it was estimated that Sierra Leoneans consumed 26.6kg of fish annually per capita in 2016 - thought to be one of the highest on the continent<sup>22</sup>.

Despite their national importance, the security of Sierra Leone's fisheries and the communities that rely on them are undermined by various and interacting stressors such as overfishing, IUU fishing, and global heating. Populations of key commercial fish species are severely overfished, with the sustainability of locally important species such as bonga shad, short-bodied sardines, and bigeye grunt in jeopardy<sup>23</sup>. To address declines in fish populations, the Sierra Leonean government has implemented annual month-long moratoriums on fishing since 2019<sup>24</sup>, although these measures were suspended in 2020 due to the outbreak of COVID-19<sup>25</sup>. Key elements of the annual moratorium include a total ban on industrial fishing operations, a ban on the export of fish, and a requirement for all artisanal-caught fish to be sold on local markets<sup>26</sup>. The effectiveness of such measures however is dependent on proper enforcement and management<sup>27</sup>, and despite the closed period, concerns remain about the sustainability of current fishing operations in the country<sup>28</sup>.

In 2015, catches resulting from IUU fishing by foreign industrial vessels in Sierra Leone were estimated to have exceeded 42,000 tonnes<sup>29</sup>. Due to these high levels of IUU fishing, the European Commission commenced a formal dialogue with Sierra Leone under the so-called 'carding scheme' in April 2016. This meant that the Commission were pre-identifying the country as potentially 'non-cooperating' in the fight against IUU fishing (otherwise referred to as a yellow card warning)<sup>30</sup>. The European Commission listed several reasons for its decision to 'yellow card' Sierra Leone, including: (i) that Sierra Leone allowed five vessels to fly its flag after their inclusion on Regional Fisheries Management Organisation (RFMO) IUU lists; (ii) the country's failure to sufficiently monitor the vessels operating in its waters through either vessel monitoring systems (VMS) or complete observer coverage; and (iii) authorising 155 foreign-flagged vessels to operate in its waters, deemed to exceed the level that could be considered sustainable. Over five years on, the yellow card remains in place, with IUU fishing still prevalent in the country, in part due to insufficient MCS and longstanding issues of corruption amongst the country's institutions<sup>31</sup>.

The impacts of both overfishing and IUU fishing are compounded significantly by global heating in the country, which constitutes a major threat to the country's fisheries and coastal communities<sup>32</sup>. Sierra Leone is experiencing coastal erosion, increased instances of extreme weather, and reduced yields of fish linked to sea temperature rise, amongst a litany of other negative impacts<sup>33</sup>.

## Sierra Leone's industrial trawl sector

Historically, Sierra Leone has had a significant domestic industrial shrimp and demersal fishing fleet, however this is now all but non-existent. Today, foreign fishing vessels make up the vast majority of the industrial trawl fleet operating in the country. The presence of foreign vessels has been documented in Sierra Leone since 1940, substantially increasing in the 1960s with various peaks and troughs since due to issues such as declining fish populations and the civil war that marred the country from 1991-2002<sup>34</sup>. Recent decades have seen an increase in the number of foreign fishing vessel licences granted, in a bid by the government to maximise income from the sector<sup>35</sup>. Since 2015, the Sierra Leonean Ministry of Fisheries and Marine Resources (MFMR) has published some details of licences granted on their website, including vessel name, name of local agent/company, flag state, category of vessel (demersal, midwater/pelagic trawler, tuna purse seiner, supply vessel, shrimper or carrier vessel), call sign, Gross Register Tonnage (GRT)<sup>36</sup>, vessel length, and duration of licence<sup>37</sup>. The number of industrial trawlers<sup>38</sup> that have been granted authorisation can be seen below in **Table 1**. This is an important transparency measure that is not widely practised by other coastal countries and can be a vital tool in identifying instances of IUU fishing.

Trawling vessels in Sierra Leone target a range of species including croaker, cuttlefish, grouper, octopus and shrimp, as well as small-pelagic species targeted by mid-water trawlers<sup>39</sup>. According to data published by the World Bank, licence fees paid in Sierra Leone are lower than those of neighbouring nations in West Africa, at US\$200 per GRT of the vessel for shrimp, US\$150 per GRT for cephalopods, and US\$150 per GRT for demersal species<sup>40</sup>. The World Bank estimated that the state received, on average, a licence fee of US\$45,000 per 200 GRT vessel per annum, compared to an average of US\$87,500 for Mauritania, US\$63,000 for Guinea, and US\$61,353 for Guinea Bissau<sup>41</sup>. In 2016, the World Bank criticised the licence fees in the country for being too low, charging less than 1% of ex-value of the vessel as opposed to the international average of 5-8%, and linked this directly to overfishing<sup>42</sup>. Industrial licences in total generated US\$5,862,620 in revenue in 2018<sup>43</sup>, however, a breakdown is not provided by gear type, so it is therefore not possible to understand how much of this comes from the trawl sector.

**Table 1 - Number of industrial trawlers licensed to operate in the Sierra Leonean EEZ 2015 - 2021<sup>44</sup> (all flags)**

Year	Demersal trawlers	Mid-water trawlers	Shrimpers	Cephalopod trawlers	Total
2015	33	32	8	0	73
2016	43	46	13	4	106
2017	64	33	12	4	113
2018	47	19	17	3	86
2019	48	16	16	2	82
2020	43	14	11	0	68
2021	41	10	10	0	61

Source: Sierra Leone MFMR.



Industrial trawler in Sierra Leone, 2018. © EJF

## Legal provisions regarding ownership of industrial trawl vessels and access to Sierra Leonean coastal waters

The responsibility for the management of Sierra Leone's coastal fisheries currently rests with the MFMR. Section 14 of the Fisheries and Aquaculture Regulations, 2019, pertains to the 'precondition for granting foreign fishing vessel licence'<sup>45</sup>. In this regulation, it is stated that should there be a surplus of the allowable catch specified by a fisheries management plan, it is permissible to authorise foreign vessels to operate in the country's EEZ. The conditions for the issuance of these authorisations are<sup>46</sup>:

- MFMR will review information provided by the applicant and conduct a review of their record of compliance, ensuring both the vessel and its beneficial owners have not been involved in IUU fishing activities, or that the ownership of the vessel has changed since the activities occurred, with all links to the previous owners broken.
- That the vessel has been permitted by its flag State to conduct fishing activities outside of the flag State's waters.
- A requirement for a performance bond to act as a financial guarantee for the fulfilment of all obligations arising out of the licence.
- The appointment of a local agent within Sierra Leone, who will be accountable should any legal processes arise in relation to the foreign vessel. The agent must be a Sierra Leonean citizen or naturalised citizen who has lived continuously in the country for no less than eight years, has no criminal record and has a company or enterprise with valid business registration and tax clearance certificates. Furthermore, they must be actively operating at least two industrial or decked semi-industrial fishing vessels, or a processing establishment with access to onshore cold room or fish storage facility, have an onshore account valued up to US\$10,000 or assets valued more than this, pay an annual agency registration fee of US\$1,000 and be a registered member of the Sierra Leone Industrial Fishing Company Association.

## Ownership in practice - Chinese interests in the trawl sector

To determine the extent of Chinese interests in the Sierra Leonean trawl sector, an analysis was conducted of all vessels permitted to operate in the country's EEZ in 2020. This was constructed by compiling four licence lists available on the MFMR website and extracting any vessels whose authorisations included one or more periods in that year<sup>47</sup>. The 2020 licence list was selected as it is the most recent complete list of vessels published at the time of writing this report.

Ascertaining which vessels on the lists were linked to Chinese ownership was done through a two-fold process - firstly by identifying those flying the flag of China, as documented in the published licence list, and secondly looking at those that were not flagged to China but could be linked with sufficient certainty to Chinese beneficial owners. Ownership information was collated primarily from open source and paid-subscription sources including information and documents available on the Chinese Ministry of Agriculture and Rural Affairs (MARA) and Ministry of Commerce (MOFCOM) websites and IHS-Seaweb from IHS Markit, which is widely considered to be the most up to date database of vessel information. IHS Markit are "the sole authority with responsibility for assigning and validating" International Maritime Organization (IMO) numbers to vessels, which are unique seven-digit numbers that remain with the vessels for their lifetime, regardless of flag or ownership changes<sup>48</sup>.

In 2020 there were 53 Chinese-flagged trawlers and three support vessels licensed to operate in the Sierra Leonean EEZ. Support vessels have been included in this analysis due to the availability of data, and the integral role that they play in supporting the function of the trawl fleet. In addition, nine vessels (eight trawlers and one support vessel) that were active in 2020 had reportedly, based on the information published by MFMR, changed flag from China to Sierra Leone sometime between May 2020 and January 2021. Information available from IHS-Seaweb confirmed that, despite the flag change to Sierra Leone, these nine vessels were ultimately owned by one Chinese company.

The above findings indicate that of the 88 vessels constituting Sierra Leone’s non-tuna fishing sector in 2020, 61 were Chinese fishing vessels - presumably using trawl gears - and four were Chinese support vessels. This means that Chinese-flagged, or owned vessels constituted 73% of the Sierra Leonean non-tuna fishing sector, with its supporting fleets included. These vessels equate to 74% of the GRT of the non-tuna fishing sector. This reflects analysis of Sierra Leonean licence lists between 2015-2021, which shows that based on flags alone, the majority of the trawl fleet is Chinese flagged (**Table 2**).

**Table 2 - Top five flag states by prevalence of industrial trawlers licenced to operate in the Sierra Leonean EEZ 2015 - 2021<sup>49</sup>**

	China	Italy	Sierra Leone	Korea	St Kitts and Nevis
2015	60	0	0	2	3
2016	83	5	1	6	6
2017	87	7	0	9	4
2018	62	6	0	5	2
2019	61	4	1	1	1
2020	61	4	10	0	0
2021	35	2	20	0	0

Source: Sierra Leone MFMR.

As is the case in a number of other West African countries, the licences and ownership of vessels in Sierra Leone’s trawl sector are held by a small number of companies. Six Chinese entities (five private and one State-owned) and six local representatives accounted for the 65 Chinese flagged or owned vessels operating in the country (full details of vessel name, beneficial ownership and local representatives can be found in **Table 3**). These dynamics demonstrate the relatively concentrated financial beneficiaries and distribution of power within the trawl sector.

**Table 3 - Chinese-owned trawlers and support vessels licensed to operate in Sierra Leone in 2020 (vessels marked \* are listed as support vessels)**

Vessel/fleet names	Flag	Local representative	Chinese beneficial owner
FUHAIYU 1111/2222/3333 /5555/6666/7777/8888/9999	China	Africa Yuhai F. Co	Cangzhou Bohai New Area Fuhai Fishery Co., Ltd. <sup>50,51</sup>
YUAN YU 701/702/703/704/705/706/707/708	Sierra Leone	Okey F. Co.	China National Fisheries Corp. <sup>52</sup>
LU YAN KAI YUAN YU 315/316/317/318/506/877/977	China	Tombo F. Co	Yantai Development Zone Fishing Port Development Co., Ltd. <sup>53</sup>
SHENGHAI 1/2/3/5/6/7/8/9	China	Sabco. F. Co. Ltd.	Dalian Shenghai Ocean Fishery Co., Ltd. <sup>54</sup>
MENG XIN 17/18/19/20/21/22/23/24/27/28	China	Tima F. Co.	Dalian Mengxin Ocean Fishery Co., Ltd. <sup>55</sup>
MENG XIN YU YUN 369*			
LAIO DAN YU 6605/6606/6607/6608/6609/6610/6615/6616/6617/6618/7716/7717 <sup>56</sup>	China	Sierra Fishing Co.	Donggang Jifu Fishery Co., Ltd. <sup>57</sup>
HAI FENG 896*	China	Okey F. Co.	China National Fisheries Corp. <sup>58</sup>
JUI YUAN 811 <sup>59</sup>	China	Okey F. Co.	China National Fisheries Corp. <sup>60</sup>
CNFC 21/22/23/24/9310/9312/9314	China	Okey F. Co.	China National Fisheries Corp. <sup>61</sup>
ZHOU YU LENG 8*	Sierra Leone	Okey F. Co.	China National Fisheries Corp. <sup>62</sup>
LAIO DAN YU 5555* <sup>63</sup>	China	Sierra Fishing Co.	Unknown

It should be noted that in order to carry out fishing operations overseas, a Chinese DWF company must apply to the Chinese authority for approval of its specific offshore fishery project(s), i.e. to allow its designated vessels to operate in a country's EEZ, within a RFMO Convention Area, or on the high seas<sup>64</sup>. However, of the 65 vessels found to be linked to Chinese ownership, 60% are not included in the list of vessels authorised by the Chinese government to operate in foreign EEZs during the period 2019-2020<sup>65</sup>.

## CASE STUDY

### Opaque vessel ownership in the Sierra Leonean trawl sector

In Sierra Leone there is a reasonable record of vessels operating under flags with which they have a genuine link. This is in comparison to other countries in the region, for example Ghana, where over 90% of the Ghanaian-flagged trawl fleet is estimated to be beneficially owned by Chinese nationals who gain access to the country's waters through local front companies in order to circumvent provisions in the law on foreign ownership<sup>66</sup>. The opaque corporate structures that exist as a result are highly problematic, impinging upon the ability of states and civil society groups to trace illicit trade flow and hold the true beneficiaries accountable.

However, there are still suspected instances of Chinese ownership being concealed behind opaque corporate structures and flagging patterns. For example, the 'YUAN YU' fleet, which targets shrimp in Sierra Leone, was listed as Chinese-flagged in the licence lists between 2015-2020, but as of 2021 the vessels have been flagged to Sierra Leone. It is difficult to ascertain whether this reflagging represents a genuine change of ownership: the licence lists available on the MFMR website only list the local agent; the vessels do not appear on IHS-Seaweb,<sup>67</sup> and open-source web searches failed to garner any further information on the ownership of the vessels.

There are several other vessels that appear on the 2020 licence list which have suspected links to China but are flagged to Sierra Leone and could not have their beneficial ownership ascertained with enough certainty to include in the analysis. These include the 'JIAN MEI' fleet, two 'LAIO DAN YU'<sup>68</sup> vessels, and the 'HONG CHANG 1'. Three of these vessels, the JIAN MEI 1, JIAN MEI 4, and HONG CHANG 1, have been linked to China in media reports following their absconion from port in Sierra Leone where they were being detained for suspected IUU fishing<sup>69</sup>. The adoption of the Sierra Leonean flag and lack of published information on beneficial ownership serves to protect the identity of the true beneficiaries of IUU fishing and makes it difficult to hold those responsible to account.

## Connection to IUU fishing activities

High instances of IUU fishing within the Chinese DWF have been reported, often occurring in low-income countries where the practice is more prevalent due to limited MCS capacity<sup>70</sup>. In order to ascertain the rates of IUU fishing amongst the Chinese fleet in Sierra Leone, open-source intelligence was sought for each vessel, collating information from NGO reports, media sources, cross-checks of the Trygg Mat Tracking (TMT) combined IUU vessel list<sup>71</sup>, and the Spyglass.fish database which derives its data from the Criminal Record of Fishing Vessels<sup>72</sup>. To ensure that the information was current and to increase the likelihood of ownership remaining consistent between the time of the offence and the 2020 licence list, the analysis only considered alleged offences that took place in 2010 or subsequently.

Of the 65 Chinese, or suspected Chinese, trawl vessels and their supporting fleet in Sierra Leone in 2020, 16 vessels were previously identified as suspected or convicted of engaging in IUU fishing, with a further 37 vessels linked through ownership with vessels suspected of IUU fishing (**Table 4**). Many of the alleged offences occurred in West African waters, including in Sierra Leone. These range from fishing without authorisation, to the use of illegal fishing nets and fishing within the Inshore Exclusion Zone (IEZ) of coastal States. The figures above indicate that 82% of the Chinese fishing vessels operating in Sierra Leone are either directly responsible for confirmed or suspected IUU fishing activities or linked via ownership to such activities.



**Table 4 - Chinese-owned trawlers and support vessels licensed to operate in Sierra Leone in 2020 suspected of, or prosecuted for, IUU fishing**

Vessel name	Location of alleged offence	Year	Nature of alleged offence	Source
FUHAIYU 6666	Liberia	2018	Offloading fish at port without import permit	<a href="#">Link</a>
FUHAIYU 1111	Sierra Leone	2016	Illegal fishing gear, unfilled logbooks, unlicensed fishing	<a href="#">Link</a>
FUHAIYU 2222	Sierra Leone	2016	Illegal fishing gear, unfilled logbooks, unlicensed fishing	<a href="#">Link</a>
FUHAIYU 3333	Sierra Leone	2018	Fishing without a licence	Vessel detected through Automatic Identification System (AIS) analysis conducted by EJF. Vessel tracks are available upon request.
FUHAIYU 5555	Sierra Leone	2017	Fishing without a licence	Vessel detected through AIS analysis conducted by EJF. Vessel tracks are available upon request.
YUAN YU 701	Sierra Leone	2012	IUU fishing	<a href="#">Link</a>
SHENGHAI 9	Liberia	2017	Unable to provide documentation, human rights abuses, falsified landing reports	<a href="#">Link</a>
LIAO DAN YU 6616	Sierra Leone	2021	Fishing without a licence	<a href="#">Link</a>
LIAO DAN YU 6618	Sierra Leone	2021	Fishing without a licence, carrying two separate sets of registration documents	<a href="#">Link</a>
MENG XIN 20	Sierra Leone	2016	Fishing in incorrect zones, failure to have 45% Sierra Leonean crew	<a href="#">Link</a>
MENG XIN 23	Sierra Leone	2016	Fishing with incorrect net mesh size	<a href="#">Link</a>
MENG XIN 24	Sierra Leone	2016	Fishing within the IEZ	<a href="#">Link</a>
MENG XIN 18	Sierra Leone	2018	Fishing without a licence	<a href="#">Link</a>
MENG XIN 19	Sierra Leone	2016	Failure to send daily catch report	<a href="#">Link</a>
MENG XIN YU YUN 369	Ghana	2021	Suspected of unauthorised trans-shipments in Ghana	<a href="#">Link</a>
JUI YUAN 811	Guinea and Guinea Bissau	2014	Suspected underreporting of tonnage	<a href="#">Link</a>

The above findings confirm that a significant proportion of Chinese vessels operating in Sierra Leone have linkages with IUU fishing, either through direct involvement in such activities or through ownership. This brings into question the extent to which the MFMR are conducting background checks before permitting foreign vessels to operate in Sierra Leonean waters, as required by law. As highlighted above, Section 14 of the Fisheries and Aquaculture Regulations, 2019, requires the MFMR to undertake a full review of the vessel's record of compliance, ensuring that the foreign fishing vessel and its beneficial owner have never been involved in IUU fishing activities, or that the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel.

**Table 5 - Types and frequency of alleged offences linked to Chinese-owned fishing vessels that appear on Sierra Leone's 2020 licence list**

<b>Offence</b>	<b>Frequency</b>
Fishing without a licence	7
Falsified, incorrect or missing documentation	5
Incorrect or illegal gear	3
Fishing in a prohibited area	2
Failure to meet licensing requirements	2
Offloading without a permit	1
Human rights abuses	1
Unauthorised trans-shipments	1
Suspected underreporting of tonnage	1
IUU fishing	1

## Discussion and conclusions

The dynamics of the Sierra Leonean trawl sector, in particular the inadequate licence fees, the overcapacity of the fleet, the diversion of revenues abroad, and the high number of vessels operating with a history of, or with linkages to, IUU fishing, have important ramifications for Sierra Leone, and especially its coastal communities who rely heavily on the ocean for their livelihoods. The findings of this study represent an environmental injustice as these communities are those most severely impacted by the presence of the fleet. They face dwindling fish populations, encroachment into the IEZ and collisions with industrial vessels,<sup>73</sup> whilst simultaneously deriving very little benefit from the profits accrued from the presence of these industrial fleets.

Further afield, there are also consequences for the international market. For example, of the Chinese-owned trawlers and carriers operating in Sierra Leonean waters, 20% appear on the Directorate-General for Health and Food Safety (DG SANTE) list of approved exporters to the EU<sup>74</sup>, all of whom are linked either directly, or through beneficial ownership, to suspected IUU fishing incidents. This means that there is a likelihood of seafood considered to be at a high-risk of being derived from IUU fishing or unsustainable fishing practices ending up on the EU market.

The expansion of the Chinese DWF has significantly altered the terrain of global fisheries, with West African nations arguably some of the most transformed. Across the region, Chinese influence and investment has pervaded marine environments, often with negative socio-economic and ecological consequences.

As this briefing has shown, Sierra Leone is not exempt from this pattern. A significant number of Chinese-owned trawlers are operating in the country's waters, many of which have been associated directly or indirectly with IUU fishing. This is the latest in a long line of foreign fleets unsustainably exploiting the country's marine resources. That bottom trawling is a commonly used method of fishing amongst Chinese vessels in Sierra Leone is further cause for concern, given its widely acknowledged negative ecological footprint<sup>75</sup>.

A concerted effort is required to increase transparency within Sierra Leone's trawl sector to address and combat IUU fishing. This must involve cooperation between relevant actors including the MFMR, the government of China and international institutions such as the FAO, the World Bank, Interpol and the EU, which remain invested in the country both as a target market for seafood and through the bilateral dialogues under the carding scheme.



Canoe landing site in Sierra Leone, 2018. © EJF

## Recommendations

EJF calls on the governments of China and Sierra Leone to act on the following recommendations in order to improve the sustainability of fishing operations in Sierra Leone.

### To the government of China:

- Cooperate with the government of Sierra Leone where relevant to identify the beneficial ownership of suspected Chinese vessels operating under the Sierra Leonean flag, to ensure any violations of national or regional fisheries conservation and management measures are levied against the appropriate parties proportionately to the size of the organisation.
- The Chinese consulate to Sierra Leone should conduct a review of the Chinese-flagged/owned fishing vessels operating in Sierra Leone and ensure that they are duly registered by MARA as offshore fisheries projects, as required under Chinese law.<sup>76</sup>
- Carry out all necessary investigations into suspected IUU fishing by Chinese-owned vessels in Sierra Leone, where necessary taking suitable punitive measures to the extent provided under Chinese law.
- Update the national legal framework, if necessary, to ensure that Chinese nationals engaged as beneficial owners of fishing vessels flying the flag of third countries can be prosecuted for IUU fishing infringements and deterrent sanctions imposed.
- Mandate IMO numbers for all eligible vessels in the Chinese distant water fleet.
- Establish direct channels of cooperation with the Sierra Leonean MFMR to be in position to carry out all necessary investigations into future possible IUU fishing by Chinese-owned vessels in Sierra Leone, and, where necessary, to take suitable and deterrent punitive measures to the extent provided under Chinese law.
- Adopt minimum transparency requirements for distant water fishing activities, including the development of a publicly accessible and searchable database of Chinese-owned distant water fishing vessels, including information on beneficial ownership.
- Continue to update and publish information concerning fisheries-related offences and sanctions by distant water fishing vessels ensuring comprehensiveness, credibility and accessibility of the information published.
- Ensure that up to date information on the Chinese-flagged vessels operating in Sierra Leone is uploaded to the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels.
- Ensure that government support in the form of subsidies, loans and other funds are not available to companies with a history of IUU fishing infringements.

## To the government of Sierra Leone:

- Ensure all suspected fisheries-related infringements in the country are subject to thorough investigation, and that deterrent sanctions are imposed where violations are confirmed, in accordance with minimum sanctions in the national law.
- Ensure that the number of fishing licences issued for industrial trawl vessels is in line with best available scientific advice on the status of both small pelagic and demersal fish populations.
- Implement the tonnage reporting requirements laid out in the International Convention on Tonnage Measurements of Ships, 1969, switching from GRT to GT.
- Complete, maintain and make publicly available a detailed list of all fishing vessels registered to fish under the Sierra Leonean flag, and continue to regularly update and publish the list of industrial vessels licensed to operate in the EEZ of Sierra Leone including where relevant IMO numbers and details of beneficial owners.
- Furthermore, consider publishing additional information to aid transparency, including details of IUU fishing infringements, revenues generated by the trawl sector and the cost of acquiring licences for the various target species in Sierra Leonean waters.
- Conduct thorough background checks on vessels requesting to fish in the waters of Sierra Leone, to ensure that vessels whose beneficial owners are linked to IUU fishing are refused authorisation in line with Section 14 of the Fisheries and Aquaculture Regulations, 2019.
- Ensure that national fisheries are structured in such a way to support local communities and national food security. Redouble efforts to ensure down-stream values in the processing and marketing sectors are captured within the country to maximise its benefits.



Industrial trawler in Sierra Leone, 2018. © EJF

**Appendix 1 - Sierra Leonean industrial fishing vessel licence lists available to EJF for 2015-2021**

<b>Year</b>	<b>Licence lists available</b>	<b>Source</b>	<b>Link</b>
2015	May	Internal <sup>77</sup>	N/A
2016	July	Internal	N/A
2016	September	MFMR <sup>78</sup>	<a href="#">Link</a>
2017	January	MFMR	<a href="#">Link</a>
2017	March	MFMR	<a href="#">Link</a>
2017	May	MFMR	<a href="#">Link</a>
2017	November	MFMR	<a href="#">Link</a>
2018	January	MFMR	<a href="#">Link</a>
2018	September	MFMR	<a href="#">Link</a>
2019	March	MFMR	<a href="#">Link</a>
2019	December	Internal	N/A
2020	May	Internal	N/A
2021	January	Internal	N/A
2021	May	Internal	N/A
2021	April	MFMR	<a href="#">Link</a>
2021	September	MFMR	<a href="#">Link</a>

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44 The licence lists for all years are partially available. Please see Appendix 1 for a complete record of the licence lists used in this study.

45 Sierra Leone Ministry of Fisheries and Marine Resources. 2019. Fisheries and Aquaculture Regulations, 2019. Available at: <http://extwprlegs1.fao.org/docs/pdf/sie192562.pdf>.

46 Ibid.

47 The final list of authorised vessels that was analysed included data extracted from four separate licences lists, namely those at: 09/12/19, 13/05/20, 15/01/21 and 03/03/21. Available at: <https://www.mfmr.gov.sl/publications/>.

48 IHS Markit, IMO Ship and Company Number Scheme (n.d.). <https://ihsmarkit.com/products/imo-ship-company.html>.

49 The total (2015-2021) for the remaining flags noted in the Sierra Leonean licence lists were: Guinea (9), Taiwan (5), Turkey (4), Ukraine (3), Russia (3), Egypt (1), France (1), Guinea Bissau (1), Samoa (1), The Gambia (1), Iceland (1), and Cameroon (1). In the analysis period there were 17 instances in which the flag of the vessel was not given.

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53 Ministry of Agriculture and Rural Affairs (2019). Notice of the Ministry of Agriculture and Rural Affairs on the Confirmation of the Fifth Batch of Distant Water Fishing Projects in 2019 (农业农村部关于确认2019年度第五批远洋渔业项目的通知). Available at: [http://www.moa.gov.cn/nybgb/2019/201908/202001/t20200109\\_6334599.htm](http://www.moa.gov.cn/nybgb/2019/201908/202001/t20200109_6334599.htm).

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55 Ibid.

56 These vessels' names appear as LAIO DAN YU in the Sierra Leone licence lists; however, this may be due to a typo given that these vessels changed their name to LIAO DAN YU in the 2021 licence lists and according to IHS-Markit have been called by the latter since they entered into service.

57 Ministry of Agriculture and Rural Affairs (2019). Notice of the Ministry of Agriculture and Rural Affairs on the Confirmation of the Eighth Batch of Distant Water Fishing Projects in 2019 (农业农村部关于确认2019年度第八批远洋渔业项目的通知). Available at: [http://www.moa.gov.cn/nybgb/2020/202001/202004/t20200413\\_6341441.htm](http://www.moa.gov.cn/nybgb/2020/202001/202004/t20200413_6341441.htm).

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62 Information sourced on IHS-Seaweb from IHS-Markit.

63 This vessel's name appears as LAIO DAN YU 5555, however, this may be due to a typo given that this vessel changed its name to LIAO DAN YU 5555 in the 2021 licence lists and according to IHS-Markit has been called by the latter since it entered into service in 2014.

64 Ministry of Agricultural and Rural Affairs (2020). Offshore Fisheries Management Regulations of the People's Republic of China. Art. 9 and Art. 39(1). Available at: [http://www.gov.cn/zhengce/zhengceku/2020-03/13/content\\_5490763.htm](http://www.gov.cn/zhengce/zhengceku/2020-03/13/content_5490763.htm).

65 This does not necessarily mean a vessel did not apply for such an authorisation, as the information published by MARA on approved DWF projects is often incomplete. For instance, our collection of MARA-approved fishing projects in 2019 showed three missing documents (the 1st, 2nd, and 3rd batch) of the total eight batches of approved projects; the 2020 one showed a missing 2nd batch of announcements, of the total eight batches of approved projects.

66 EJF (2018). China's hidden fleet in West Africa: A spotlight on illegal practices within Ghana's industrial trawl sector. Available at: <https://ejfoundation.org/reports/chinas-hidden-fleet-in-west-africa-a-spotlight-on-illegal-practices-within-ghanas-industrial-trawl-sector>.

67 Only one vessel with a matching name appears on the IHS-Seaweb maritime portal - the 'YUAN YU 702' is listed as flagged to China, although its status is "Continued existence in doubt".

68 Sometimes spelled "LIAO DAN YU".

69 SeafoodSource (2020). Chinese vessels swarming, Ecuador rushes to protect the Galapagos. Available at: <https://www.seafoodsource.com/news/environment-sustainability/ecuador-rushes-to-protect-galapagos-faced-with-predatory-chinese-fishing-vessels>.

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71 The TMT Combined IUU vessel list compiles vessels that have been identified as conducting IUU fishing by RFMOs. Available at: <https://iuu-vessels.org/>.

72 Spyglass database accessible here: <https://spyglass.fish/>.

73 SeafoodSource (2021). Sierra Leone intensifies war against illegal fishing trawlers. Available at: <https://www.seafoodsource.com/news/environment-sustainability/sierra-leone-intensifies-war-against-illegal-fishing-trawlers>.

74 Twelve trawlers and one support vessel are DG SANTE approved exporters to the EU. Of these, two were directly linked to an IUU fishing incident, and eleven linked through beneficial ownership.

75 For details of the ecological impacts of bottom trawling see: FAO (2021). Classification and illustrated definitions of fishing gears. FAO Fisheries and Aquaculture Technical Paper No.672. Rome, FAO.

76 Art. 6 and 7, Offshore Fisheries Management Regulations, 2020.

77 Internal licence lists are available upon request.

78 EJF notes that the webpage for the government of Sierra Leone is frequently down, licences can be made available upon request.



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