



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS, AND
PARTICIPATING TERRITORIES**

**Circular No.: 2020/137
Date: 1 December 2020
No. pages: 06**

Letter from the Republic of Korea: Update Regarding FV Oryong No.721

Dear All,

Please find enclosed a self-explanatory letter dated 26 November 2020 from the Republic of Korea relating to the latest status of its flagged fishing vessel Oryong No.72 (DTAH8).

Yours sincerely,

**Feleti Penitala Teo, OBE
EXECUTIVE DIRECTOR**

November 26, 2020

Dear WCPFC CCMs,

Following the discussion that we had at the TCC 16 last September regarding the Korean-flagged fishing vessel, *Oryong No. 721*, the Republic of Korea (ROK) would like to share with the Commission the latest updates and our stance on the vessel.

The Korean government hereby confirms that the fishing license of *Oryong No. 721*, which is accused of alleged violations of entering the EEZ of the Republic of Marshall Islands (RMI) without a valid license, was revoked on 2nd November 2020 because the scrapping process of the vessel reached 80~90% and it lost all its functionalities.

The Republic of Korea introduced in 2019 a penalty mechanism, which we believe is the strongest measure against IUU fishing, into the Distant Water Fisheries Development Act (DWFD Act), and the Act is scheduled to take effect from 27th November 2020 after enforcement decrees are put in place.

As the penalty mechanism does not yet have effect, i.e. imposition of administrative penalties is not valid yet, the case for *Oryong No. 721* has been proceeding in accordance with the current law: (1) request for investigation (2) investigation by Korea Coast Guard (KCG) (3) the prosecution and (4) court decision.

The Korean government expected that the case would take some time (one to two years) to be addressed under the current law. So, the Korean government had a concern that the time frame may make it difficult to sufficiently demonstrate the Republic of Korea's strong will and effort to deter IUU fishing in a timely manner.

Taking into consideration the fact that the measures against IUU fishing under the DWFD Act are being amended (to enable the administrative body to take its own action regardless of judicial decisions), the consultations so far between the ROK and the RMI on the vessel, as well as the statements that the Republic of Korea has made on its position at international arena including WCPFC, the Korean government decided that we needed to take more proactive and effective actions.

Hence the decision to revoke the license of the vessel, which is far stronger than the 2-month license suspension under the current law, will effectively eliminate any possibilities of the vessel fishing either in the areas of national jurisdiction or in the international waters. Furthermore, neither re-licensing nor future allocation of any quotas to *Oryong No. 721* is legally and practically possible.

The Ministry of Oceans and Fisheries (MOF) of the Republic of Korea strongly asked the vessel owner, *Sajo Industry*, to scrap the vessel and have its license revoked even though the final court decisions had not been made yet, and given the severity of the case, the owner agreed to accept the measures asked by MOF.

Recently, government officials from the MOF visited the scrapping site and confirmed in person that more than 80% of the vessel was scrapped (the sailing ability has gone), after which the Ministry proceeded to revoke the license. The Republic of Korea would like to once again reiterate that there is no chance for the vessel to be re-used for any other purposes by other countries. Please refer to the attached photographs.

The investigation on *Oryong No. 721* and the relevant administrative measures taken will be shared with WCPFC Secretariat and other interested CCMs in a timely manner, and the MOF will update the Commission Members on this issue at the upcoming WCPFC 17 meeting.

In response to the case of *Oryong No. 721* which allegedly entered the EEZ of the RMI without a license and is now listed on the provisional WCPFC IUU list as a result, mindful of the RMI's request for further management and control of the vessel, the Korean government has been taking the most proactive and strongest administrative sanctions allowed by the domestic law.

The Republic of Korea already expressed at TCC16 its view on the delisting of *Oryong No. 721* from the provisional IUU list, which is now under discussion at the Commission. Regarding when and how to delist the vessel, the Korean government will respect the result of the discussion the Commission will have, and also fully support and accept the ruling of the RMI court on this case.

It is important for the Republic of Korea to ensure that no Korean-flagged vessel is listed in the final IUU vessel list but we would like to emphasize that the Korean government puts more value on earning the support of the international community, including the Republic of Marshall Islands in particular, on the importance of the administrative measures and sanctions that the Republic of Korea has taken against *Oryong No. 721* in advance of the completion of



decision makings by the judicial authorities of both countries.

The Republic of Korea believes that such support from the Commission will contribute to further enhancement of our stance against IUU fishing in the future, domestically as well as internationally.

We hope that everyone and their families, friends and colleagues stay healthy and that the COVID-19 will be put to an end soon so that we all can overcome the difficult time.

Best Regards,

WOO, Dong-sik

Director General for International Cooperation Bureau

Ministry of Oceans and Fisheries

Republic of Korea

* Attachment – Photographs of Scrapping Process

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