Requesting country: INDONESIA
Date of publication: 09/09/2015

MODUS OPERANDI

Type(s) of offence:
- Transporting hammerhead shark (CITES) from Indonesia to China (convicted)
- Illegal imports and exports
- Deactivating Vessel Monitoring and Automatic Identification Systems

Date of the offence: 2013-2014

Place of offences: Indonesian territory and Exclusive Economic Zone,

Country of offence: Indonesia - Papua, Wanam port, Arafuru Sea

Circumstances of offence: Illegal imports and exports, fisheries offences, illegal transhipments at sea

Description of modus operandi: Object/device/concealment method/procedure.
M/V “HAI FA” frequently transported fish and other commodities between China and Indonesia. The cargoes from China were unloaded and imported into Indonesia in Wanam port. M/V “HAI FA” would then load fish and protected species and depart to China. These imports and exports were not reported correctly to the Indonesian authorities. Sometimes the loading and unloading activities took place at sea through transshipments between vessels. In a remote area like Wanam District (Papua Province, Indonesia), poor surveillance and bribery made sure all the violations of Indonesian law went smoothly.

Some of the commodities transported and unloaded by M/V “HAI FA” in Indonesia are:
1. Alcohols/liquor;
2. Eggs;
3. Sandals;
4. Shoes;
5. Rice;
6. Electronic devices;
7. Spare parts;

Protected species that were loaded to M/V “HAI FA” include:
1. Yellow-crested cockatoo (Cacatua Galerita / Cacatua Sulphurea);
2. Crocodylus Porosus skins (in Indonesia known as Buaya Muara).

M/V “HAI FA” crew also often loaded fish at the sea (transshipment) with no documentation (unreported). Automatically, the fish is exported with no health certificates or evidence of the country of origin or flag of the catching vessel.

All the activities aforementioned violate Indonesian law on Fisheries, Customs, Trade, and Conservation measures.
ADDITIONAL INFORMATION

**Vessel’s Particulars:**
- **Vessel Name:** M/V “HAI FA”
- **IMO Number:** 7818561
- **Flag:** Panama
- **Port of registry:** Panama
- **Call Sign:** 3EAY
- **MMSI:** 371295000

**Gross Tonnage:** 3830/Net Tonnage: 1595

**Registered Owner:** Hai Yi Shipping Limited
**Name of Legal representative:** Bierman Pautt & Associates [address]

**Last known Port:** Fuzhou (CHN)
**Last Known Position:** 03/09/2015, 23:46H, LAT 23°22′54″N, LON 117°33′50″E, SOG 14Knts, COG 230°

**Vessel History**

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>Flag</th>
<th>Call Sign/IMO Number/MMSI</th>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>July, 2009-Current</td>
<td>MV “HAI FA”</td>
<td>Panama</td>
<td>IRCS: 3EAY IMO: 7818561 MMSI:371295000</td>
<td>Hai Ying Shipping Limited 338 Hennessy Road Wan Chai Hong Kong</td>
</tr>
<tr>
<td>June, 2006</td>
<td>“RUI YANG”</td>
<td>China</td>
<td>CNFC International Fisheries Co Ltd</td>
<td></td>
</tr>
<tr>
<td>January, 1988</td>
<td>“HAI FENG 301”</td>
<td>Panama</td>
<td></td>
<td>CNFC International Fisheries Co Ltd</td>
</tr>
<tr>
<td>1978</td>
<td>“DAIGEN MARU”</td>
<td>China</td>
<td></td>
<td>CNFC International Fisheries Co Ltd</td>
</tr>
</tbody>
</table>

**Company Structure and Operations in Indonesia:**

Beneficial Owner: Hai Ying Shipping Limited, Unit C, 16/F CNT Tower, 338 Hennessy Road, Wanchai, Hong Kong.
Ownership: since 12 August 2009.

Note: Other companies which show up at this address are:
- Joysen Enterprises Limited.
- Hong Fa Shipping Limited
- Ee Hing Resources Co Limited

**Indonesian Ship Agent:** Antarticha Segara Lines
Company license: B XXXXIV-102/AT.54, issued on 10 February 2009.
Previous address: mangga Dua raya Street, Komplek Agung Sedaya, Blok F No. 28 Jakarta Pusat.
Current address: APL Tower Central Park, floor 32nd Unit T3, Jl. Letjen S. Parman, Jakarta Barat.
Companies that appoints Antartica Segara Lines to export fishes to China:
1. PT Dwikarya Reksa Abadi
   Previous address: Jl Mangga Dua Raya, komplek Agung Sedaya, Blok F No. 27, Jakarta Pusat 10730 Indonesia.
   Current address: API Tower Central park, floor 32nd Unit T3, Jl Letjen S. Parman, Jakarta Barat

2. PT Arulestari Samudera,
   Previous address: Jl Mangga Dua Raya, komplek Agung Sedaya, Blok F No. 27, Jakarta Pusat 10730 Indonesia.
   Current address: API Tower Central park, floor 32nd Unit T3, Jl Letjen S. Parman, Jakarta Barat

3. PT Avona Mina Lestari
   Previous address: Jl Mangga Dua Raya, komplek Agung Sedaya, Blok F No. 27, Jakarta Pusat 10730 Indonesia.
   Current address: API Tower Central park, floor 32nd Unit T3, Jl Letjen S. Parman, Jakarta Barat

Note: Indonesian agent and Fishing Company addresses for #1 and #3 are identical while for #2 is the adjacent office space. The address of #2 is identical to address of the ship agent (addresses listed above accurate at the time of signing the MOU. Since then the companies have shifted and the new addresses have a similar pattern.

Last fishing license issued:
Number: 20.14.0001.02.42482
Issuing date: 9 January 2014
Expired: 6 February 2015
Issuing Authority: Ministry of Marine Affairs and Fisheries Republic of Indonesia.
Vessel’s Flag: Panama
Type of License: Fish Carrier License
Freight: Fresh Frozen Fish

Several Names related to M/V “HAI FA” and its history:
1. Greatsources Shipping Consultants Limited, Address: Flat/RM A3/F Eton Building 288 Des Voeux Road, Central Hong Kong
2. Fujian Minfeng Shipping, Co Ltd
3. CNFC International Fisheries, Co Ltd
4. Seaeasy International Shipping Co Ltd

Other Information:
1. As it has been mentioned, M/V “HAI FA” is a vessel that has been used for transporting fish from Indonesia to China. The fish company in Indonesia (PT Dwikarya Reksa Abadi, PT Aru Samudera Lestari, PT Anova Mina Lestari) has already been sanctioned (administrative sanction) by Minister of Marine Affairs and Fisheries by revocation of their business license.

2. M/V “HAI FA” is purported to be owned by “Hai Yi Shipping Limited”. This believed to be a shell company based out of Hong Kong. No known public listings reveal the true identity of the owner. Search of the address of the company “Hai Yi Shipping Limited” indicates multiple businesses to be operating out of the same address.

3. Dated 11 June 2013 is a fax transmitted by the fishing company PT Dwikarya Reksa Abadi. The ownership of the vessel is listed to “Sea Easy International Shipping Co Ltd”. No public records of this company exist. This believed to be a shell company. No known public listings reveal the true identity of the owner.

4. The Indonesian exporters of the fishing companies have believed to have provided false information in the export documents with regards to the receivers of the fish in China.
   a. Export documents filed by the fishing company PT Anova Mina Lestari indicates the receiver of the fish is a company named “Fuzhou Hao You Li Fishery Development Co Ltd”. The address is 18/F, Blok
b. Export documents filed by the fishing company PT Dwikarya Reksa Abadi indicates the receiver of the fish as a company “Fujian Provincial Pingtan Country Ocean Fishing Group Co Ltd”. The address is 19th floor Block A, Zhongshan Bldg, No 154 Hudong Road, Fuzhou Fujian China.

The proof of existence and ownership of these receiving companies cannot be verified. It is believed that they are shell companies based out of the same office block, thereby hiding the true identity of the receiver.

Note: the address of receiving company in China is also linked to “Pingtan Marine Enterprises Ltd” (http://www.ptmarine.com/)

5. M/V “HAI FA” is believed to have transported alcohol, wildlife (birds and reptiles), chickens (frozen), electronics and other consumer items from China into Indonesia without filing the appropriate paperwork and carrying the appropriate permits. The goods are believed to have been unloaded into the ports of Wanam and Anova in Indonesia.

By using shell companies, falsifying customs documentation, interlinking local port agents and fishing companies into one another, the M/V “HAI FA”’s owners and operators are suspected of violating national laws and regulations of Indonesia and possibly other jurisdictions as well as international conventions and otherwise being engaged in fraud and fisheries related crimes.

Detainment history of M/V “HAI FA”:

- Las Palmas (Canary Island, Spain). 2003. At that time the ship name was “HAI FENG 301”. Port: unknown
- Masan, South Korea, 19 April 2006 and 5 January 2007. At that time the ship was “HAI FENG 301”. Reason of detention: unknown. Port: unknown.
- China, 2008, At that time the ship name was “RUI YANG”. Reason of detention: unknown. Port: unknown.
- Songkhla, 2008. At that time the ship name was “RUI YANG”. Reason of detention: unknown. Port: unknown.
- China, 2013 and 2014. At that time the ship name was M/V “HAI FA”. Reason of detention: unknown. Port: unknown.

Photos of the vessel:
December 2014, in Wanam district, Merauke, Papua province, Indonesia, by Indonesia Fisheries Department.
Information being sought:

1. Current location;
2. Photos of the vessel, in its current configuration while in port, conducting transhipment activities, loading of cargo other than fish etc.;
3. If seen transhipping at sea: summary of activities, location, information on and photos of the associated vessels (s), etc.;
4. If seen in port: information about entry permit and Cargo Manifest (type, quantity and customer) on board or unloaded, purpose of entry, documentation of catch (log books and catch certificates), and Bill of lading (BL) of the cargo;
5. Previous customs declarations, country of origin and port health declarations for imports into China;
6. Previous port calls declared to Chinese port authorities under the ISPS code;
7. Names of company registration details/national identification details of current and past owners, operators and crew (Crew List, upon arrival and departure);
8. Information related to all past and ongoing legal proceedings conducted against the owners of operators of the vessel, or associated companies;
9. History of transaction related to fuel, port bills, etc that may lead to beneficial owners;
10. Any information that could help establish links with other vessels, owners and operators;