

# Why transparency matters:

## Exposing EU ownership of high-risk fishing vessels in Guinea-Bissau



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### Overview

Fishing is a EUR 144 billion global industry, accounting for 15% of the world's protein intake.<sup>1</sup> Currently, reported fish catches are approximately 90 million tons annually,<sup>2</sup> and the most recent estimates indicate that the annual volume of fish caught illegally could reach up to 26 million tons.<sup>3</sup> Illegal fishing is particularly prevalent in regions with weak environmental regulations, with limited monitoring and control of national waters. This practice is driven by the high value of certain fish species, the lack of enforcement of fishing regulations, and legal loopholes that allow vessel owners to easily register their vessels to other countries.<sup>4</sup> It damages the ocean's ecosystems, threatens global food security, is often linked to human rights violations, undercuts the global economy, and creates unfair competition for legal fishers.

The EU IUU Regulation aims to ensure that illegally caught fish cannot enter the EU market.<sup>5</sup> Its provisions prohibit EU nationals (both individuals and companies) from supporting or engaging in IUU fishing, including as a beneficial owner: the individual or entity who ultimately owns, controls, and profits from the fishing operations.<sup>a</sup> It also bans EU nationals from owning, managing, or operating vessels flagged to non-EU countries that have been deemed to be uncooperative under the *EU carding system*, which allows the EU to issue sanctions in the form of seafood trade bans to non-EU countries that fail to tackle IUU fishing. Additionally, Member States are required to implement measures to identify, sanction, and prevent their nationals from participating in these activities.

Yet, the EU's fight against IUU fishing is being held back by a lack of transparency on EU-owned fishing vessels in countries with a high risk of IUU fishing. Beneficial owners often stay hidden, allowing profits from IUU fishing to flow back to the EU. The owners remain anonymous by using complex corporate structures like shell companies, renaming their vessels, engaging in 'flag hopping' (the frequent re-

registration of vessels to different countries), using 'flags of convenience' (the practice of registering vessels in countries that typically lack effective vessel controls and/or political or judiciary will or capacity to enforce controls and where the flag country bears no association with the nationality of the vessel's owner or operator), and exploiting the lack of a mandatory and public ownership registry.<sup>6</sup>

Over the past years, Guinea-Bissau has shown signs of being a fast-emerging flag of convenience, with limited capacity to control its fishing fleet and where vessels are allowed to register even if the ultimate owner resides in another country. Research to be published by Oceana and the University of Santiago de Compostela found that as many as 79% of the large-scale vessels flagged to Guinea-Bissau are owned by intermediary shareholders registered in other countries, primarily in Spain, Seychelles and Panama.<sup>7</sup> This is one of the highest rates of foreign ownership in West Africa. **Since December 2023 at least five EU-owned vessels and six previously EU-owned vessels re-flagged from Cameroon to Guinea-Bissau.** Three of these previously EU-owned vessels reflagged to Belize since December 2024. This shift in registration follows

<sup>a</sup> The legal definition of beneficial ownership in the EU can be found in Article 3(6) of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.

the prohibition, since January 2024, for EU nationals to be the beneficial owners of fishing vessels flagged to countries subject to a seafood trade ban from the EU.<sup>8</sup> In February 2023 the EU put sanctions, also called a 'red card', on Cameroon for failing to effectively address IUU fishing activities, allowing officially IUU-listed vessels to use its flag, and for failing to monitor its fleet, especially those vessels fishing outside Cameroonian waters.<sup>9</sup>

In May 2024, the EU negotiated a five-year agreement with Guinea-Bissau for EU vessels to access its waters, which was provisionally applied in September 2024. Under this agreement known as a Sustainable Fisheries Partnership Agreement (SFPA), EU-flagged vessels can only fish the surplus<sup>b</sup> of the available stock for a targeted species.<sup>10</sup>

In this case, EU-flagged vessels cannot fish for small pelagic fish, like sardinella, in the waters of Guinea-Bissau because of growing concerns regarding the overfishing of these populations.<sup>11</sup> However, EU-owned vessels that are registered as Guinea-Bissauan can fish these species, meaning that both EU-flagged and EU-owned vessels are fishing in the same waters but not subject to the same fisheries management measures. This is of concern because the fishing activities of these EU-owned vessels could jeopardise the EU's efforts to maintain sustainable fishing practices and damage the reputation of the EU fishing industry as a responsible operator in non-EU waters.

This report highlights the critical need to improve transparency in the sector, using real examples of EU-owned vessels in Guinea-Bissau to show how EU nationals can profit from fishing activities in a country with limited control capacities.

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**Using data from Lloyd's List Intelligence,<sup>12</sup> a data and analytics company specialising in vessel tracking and beneficial ownership research, the analysis presented here shows that of the 147 vessels that make up Guinea-Bissau's industrial fishing fleet, 13 are understood to currently have ties to the EU through beneficial ownership (see Annex I).**

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As one of the largest markets for seafood, importing 70% of the seafood it consumes, the EU has a responsibility to promote transparency of beneficial ownership worldwide, a vital step in the fight against IUU fishing.<sup>13</sup> The EU must also lead by example, ensuring that its nationals are not involved in illegal activities under any country's flag. To strengthen its zero-tolerance policy to IUU fishing, the EU should prevent its citizens or companies from benefitting from IUU fishing, whether directly or through beneficial ownership.

In 2023, the European Parliament adopted two important Own Initiative Reports highlighting how IUU fishing threatens global food security<sup>14</sup> and how IUU fishing by the Chinese fishing fleet impacts the EU.<sup>15</sup> They called for improving traceability of seafood products, stopping the use of flags of convenience, and increasing data collection and public information on beneficial ownership. Since then, however, insufficient actions have been taken by the European Commission and Member States.

**Oceana is calling on the EU to create a public register of vessels flagged outside the EU that are beneficially owned by EU citizens or companies.** Transparency – the open and accessible sharing of information – about vessels, fishing activity, and how fisheries are managed enables accountability and improves decisions to support sustainable and legal fishing. Public access to beneficial ownership information would help countries to more easily manage their resources in a sustainable and fair way. Transparency of vessel ownership enables equitable access to marine resources by helping coastal communities and local fishers to identify the real owner behind fishing vessels. A beneficial ownership register prevents foreign or hidden interests from monopolising access to fishing grounds, and also helps authorities to detect and investigate IUU fishing and related crimes. It would also make it possible to screen and track those who control shell companies, preventing these individuals from circumventing licensing restrictions and sanctions by concealing their identities and re-applying for licenses under a different entity.

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<sup>b</sup> The 'surplus' of a stock is its annual potential catch minus the potential catch of the national fleet according to its "capacity to harvest the entire allowable catch." Surplus resources are only applicable for multi-species agreements, as the quota within tuna agreements is allocated by Regional Fisheries Management Organizations (RFMOs). Further information is available at: <https://data.europa.eu/doi/10.2826/972172>



## To combat IUU fishing and improve transparency, we recommend that:

- The European Commission and Member States fully implement the zero-tolerance policy to IUU fishing, including by **making beneficial ownership of EU-owned fishing vessels flagged to non-EU countries public**, as well as **investigating and sanctioning EU citizens and companies if they engage in or benefit from IUU fishing**.
- Member States fully implement EU rules by **requiring their nationals to report any legal or financial interests they have in non-EU vessels or entities and creating a central register of this information**. These registers should be public, following best practices of other long-distance fleet registers, such as Taiwan, shown in page 6 of this report.
- **Member States and the European Commission exchange information with partner countries on updates and changes to beneficial ownership, as well as ongoing IUU fishing activities**.
- **The European Commission to encourage coastal and flag states, including Member States to require beneficial ownership information** when registering fishing vessels or issuing fishing licenses, make this information public, and include it in the Global Record of Fishing Vessels of the FAO.<sup>c</sup>

## The lack of transparency in the fishing industry

IUU fishing persists due to the opaque, fragmented processes and legal loopholes which lie behind the fishing industry's structure and global nature, with different countries involved in vessel ownership, registration, landings, labour, and processing. Four key factors that contribute most to this lack of transparency are:

- Flags of convenience
- Flag hopping
- Complex corporate structures
- A lack of public information on the ultimate owners who benefit from these activities

### ■ Flags of convenience

Flags of convenience are a loophole in international maritime law, often used by vessels that engage in IUU fishing, and which make it harder to enforce fisheries regulations.<sup>16</sup> A vessel using a flag of convenience is registered under a foreign flag that bears no association with the nationality of the vessel's owner or operator. Technically, international law requires a 'genuine link' between a vessel and the country whose flag it flies. In practice, this is not always the case.

Flags of convenience permit vessels to be registered in a different country from where the vessel owner is based, allowing vessel owners to circumvent the regulations and oversight of their home country. The countries offering flags of convenience have lax registration rules and offer other practical benefits, such as lower taxes, weak labour laws, and minimal administrative costs, making them attractive to illegal fishers. In addition, flag of convenience countries typically lack effective fisheries monitoring, control, and surveillance mechanisms and/or political or judiciary will or capacity to enforce controls.

### ■ Flag hopping

Vessels trying to hide their identities or avoid scrutiny often engage in flag hopping - making them harder to track and hold accountable. This practice of repeated and rapid re-flagging allows vessels to escape fines for previous violations, especially when the new flag country has weak enforcement, or lacks the political will to control fishing activities. Flag hopping helps vessels to avoid rules and restrictions that could limit their activities. When a vessel changes flag, national authorities may lose track of its history, especially if the new flag state does not check the vessel's past compliance, and the two countries do not exchange information.

<sup>c</sup> The Global Record of Fishing Vessels of the FAO is an international database providing verified information on fishing vessels, including their identification, ownership, and activity, to enhance transparency and combat IUU fishing.



## The multiple names, flags, and owners of the *Fin Whale*

The example of the *Fin Whale* fishing vessel (IMO: 8314299) highlights the significant challenges national authorities face in effectively managing their fleets and waters. The table below shows the many changes in name, flag, registered owner, and beneficial owner of the *Fin Whale* since it became active in 1986, and exemplifies the difficulties in tracking such changes. The vessel's complex history is not an isolated case. It also shows why the EU needs a public register of beneficial ownership to effectively stop EU

nationals' profits from IUU fishing from flowing back to Europe. This is particularly relevant given that the *Fin Whale* was previously flagged to Cameroon and Comoros, both of which had received an EU red card and were classified as non-cooperating states in the global fight against IUU fishing.<sup>17</sup> The *Fin Whale* was also flagged to Russia, which is ranked as the second-worst country globally in the fight against illegal fishing on the IUU Fishing Risk Index.<sup>18</sup>

### The timeline of a single fishing vessel: *Fin Whale*

YEARS	1986	1989	1992	1996	1998	2002	2007	2009	2010	2020	2022	2023 - present
<b>SUMMARY</b>												
<b>Vessel Name</b>	Zeeland	Nadir				Fin Whale			Zeeland	Crystal Hope	Fin Whale	
<b>Flag</b>												
<b>Beneficial Owner</b>	N/A	Novorossiyskrybprom Fishing Industry Production Union		Nadir Shipping Company		Alfon Shipping Company	Sia Firma Baltkraft	Alians Marine Limited	Unknown	Bozena Basina (50%) & Fleet Management (50%)		
<b>Registered Owner</b>	N/A	Novorossiyskrybprom Fishing Industry Production Union		Nadir Shipping Company		Sia Firma Baltkraft	Alians Marine Limited	Forepost Company	Ocean Whale Company Limited			

\* *Fin whale* was registered under the Cameroon flag from 11 December 2022 to 11 December 2023

Source: Lloyd's List Intelligence<sup>d</sup>

Please note that some dates have been rounded to simplify the vessel's history

Evidence shows that beneficial ownership information is crucial for investigators, law enforcement, organisations like NGOs, and journalists to uncover illegal fishing, reveal concealed networks, and identify the individuals and companies benefiting from these activities by tracing the flow of profits.<sup>19</sup> This transparency also helps to tackle

other crimes, such as endangered species smuggling, export documentation fraud, bribery, and money laundering.<sup>20</sup> However, without access to ownership information, enforcement is often focused only on those individuals physically on the vessel, like operators, employees, or contractors, who, in some cases, might even be victims of labour exploitation.

<sup>d</sup> Lloyd's List Intelligence defines the Beneficial Owner as to who is or may be the ultimate owning entity, controlling party or representative thereof (either individual, company, group or organisation). According to Lloyd's List Intelligence research methodology, the Beneficial Owner may be the "vessel's" management company or the trading name of a group, both of which are, in their opinion, perceived to represent the ultimate owners of the vessel. Lloyd's List Intelligence does not warrant the accuracy, completeness or adequacy of this information, which is subject to the LLI Terms of Business found here: <https://www.lloydslistintelligence.com/legal/customer-terms-and-conditions>

## ■ The use of complex corporate structures

Owners of vessels engaged in IUU fishing may also hide their true identities and activities behind complex company structures. One example is the use of a shell company structure, where one business holds funds and manages financial transactions for another entity. Shell companies often exist only on paper, with no business activities or employees, and can be used to keep activities secret and/or avoid paying taxes. In a study conducted by C4ADS, examples of the use of shell or front companies were found in over 50% of the IUU fishing networks investigated.<sup>21</sup> This makes it difficult or even impossible for authorities to track and sanction the vessels' beneficial owners.

## ■ Hiding the beneficial owners

Unlike the 'registered owner' of a vessel, whose identity is usually on official documents like fishing licenses, the 'beneficial owner' often remains hidden. Knowing who profits from fishing activities is key to stopping IUU fishing. Unfortunately, it is often difficult to sanction the beneficial owners of vessels conducting IUU fishing because they can be based in a different country from where the illegal fishing happens. They conduct their activities at an arm's length from vessels' daily operations, as opposed

to the direct, day-to-day activities carried out by captains and crew members.



## Legal obligations and shortcomings in the implementation of the EU's anti-IUU fishing policy

The EU has clear legal provisions in place under the EU IUU Regulation to prevent EU nationals from participating in or profiting from IUU fishing. However, Member States do not currently have systems in place for identifying EU owners of non-EU fishing vessels, let alone their beneficial owners.

### ■ Member States are required to ensure that their nationals are not supporting or engaging in IUU fishing

EU Member States are required to prevent and address (through investigations, prosecutions, sanctions) any violation by their nationals (as crew members, on board, vessel operators, or beneficial owners). In addition, Member States must 'encourage' their nationals to report any legal, beneficial, or financial interests in fishing vessels flagged to non-EU countries.

⊕ **The issue:** Research by NGOs<sup>22</sup> and investigative journalists such as with the Financial Times<sup>23</sup> and the Associated Press<sup>24</sup>

have found EU-owned vessels flagged to countries where the capacity or political will to control fishing fleets is weak. The EU nationals involved hide behind complex corporate structures and the lack of transparency on beneficial ownership. Despite this, Member States are not requiring their nationals to report and register non-EU ownership of fishing vessels.<sup>25</sup>

⊕ **To address it:** Member States should be required to create a centralized and mandatory register for their nationals to report their financial interests in fishing vessels registered in foreign countries. Such a register would help Member States to fulfil their obligations to prevent and address IUU fishing while ensuring that profits from IUU fishing do not flow back to the EU. Taiwan has already created such a register.



## Learning from Taiwan's system for regulating nationals' investments in foreign-flagged fishing vessels:

In 2020, Taiwan introduced an effective system to regulate its nationals' financial involvement in foreign-flagged fishing vessel.<sup>26</sup> Under this system:

- Beneficial ownership information is publicly accessible through a specific registry. As of August 2023, the registry reported that 224 vessels had Taiwanese investments.
- Investments over 50% ownership should be pre-approved.<sup>27</sup>
- Activities tied to flag states with poor monitoring and control of their waters are prohibited.<sup>32</sup>
- There are fines of up to EUR 58,000 for non-compliance, in contrast with the absence of penalties enforced in Europe.<sup>28</sup>

Source: Environmental Justice Foundation, Pew Charitable Trust, World Wildlife Fund, & Oceana. (2024).<sup>30</sup>

### ■ Member States must have a legal system in place that allows them to sanction EU nationals if they support or engage in IUU fishing

EU nationals (citizens and companies) are prohibited from supporting or engaging in IUU fishing. This includes owning vessels involved in IUU fishing outside EU waters or flagged to a non-EU state, even if those vessels are not listed on an official IUU vessel list.<sup>e</sup>

- ⊕ **The issue:** Despite these legal requirements, a 2022 study commissioned by the European Commission found that only two-thirds of Member States have fully incorporated this prohibition into their national laws.<sup>29</sup>
- ⊕ **What's needed:** Member States should transpose these requirements explicitly into their national legal frameworks. This would give enforcement authorities clear guidelines, make it easier to prosecute and sanction offenders, ensure consistent enforcement across the EU, and strengthen compliance.

### ■ EU nationals are prohibited from owning fishing vessels flagged to red-carded countries

Since January 2024, EU nationals have been prohibited from owning, managing, or operating vessels flagged to non-cooperating (i.e. red-carded) countries under the EU's IUU carding scheme.<sup>5</sup> If the EU identifies a country as non-cooperating, EU nationals must cut any associated ownership or management ties within two months.

⊕ **The issue:** In 2023, Oceana found at least 42 fishing vessels with EU connections that were flagged to countries that have received yellow or red cards from the EU for failing to fight IUU fishing.<sup>30</sup> EU nationals are not prohibited from owning a vessel flagged to a country that has been given a yellow card. However, Member States do not adopt a proactive approach to verifying their nationals' ownership links with non EU flagged vessels and the activities of these vessels. The lack of control of these EU-owned vessels flagged to countries with a high risk of possible IUU fishing allows EU nationals to take advantage of weak fisheries rules and controls in these countries and possibly channel illicit profits back into the EU.

⊕ **To address it:** In addition to requiring their nationals to register foreign ownership, Member States should investigate nationals' ownership links to non-EU vessels and the activities of these vessels, prioritising vessels suspected to be involved in IUU fishing or flagged to countries identified or pre-identified as non-cooperating in the fight against IUU fishing (i.e., red-carded and yellow-carded countries). Member States and non-EU countries should exchange information to identify national offenders, beneficial owners, and cases of non-compliance.

<sup>e</sup> An official IUU vessel list is a registry that includes fishing vessels, entities, or operators involved in IUU fishing activities, combining information from Regional Fisheries Management Organization (RFMO) IUU vessel lists, and the EU IUU vessel list to enhance monitoring and enforcement efforts.

## Case study of the 'Whale' vessels: How EU nationals can exploit loopholes and profit from owning non-EU fishing vessels

In February 2023, Cameroon was given a 'red card' under the EU IUU Regulation for major failings in fisheries management. These included a weak legal framework, unclear and non-transparent vessel registration and licensing procedures, and a failure to address IUU fishing activities by its fishing fleet, especially those operating outside Cameroon's waters.<sup>31</sup>

Since a measure was introduced banning EU nationals from owning fishing vessels flagged to red-carded countries in January 2024, there has been a noticeable trend of EU-owned vessels re-flagging from Cameroon to Guinea-Bissau. Eleven vessels flagged to Cameroon that are currently or were previously EU-owned in 2023 have moved to Guinea-

Bissau. This shift likely reflects a strategic move by vessel owners to continue high-risk activities under a country with similarly weak environmental regulations and poor monitoring of its waters.

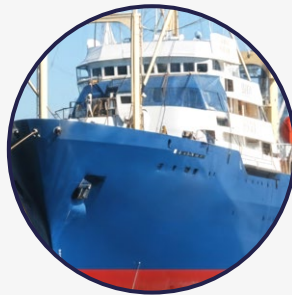
This shift in flagging by EU-owned vessels can be illustrated by five vessels, all more than 100 metres long, fishing for small pelagic fish such as sardinella, sardines, and mackerel: *Right Whale*, *Pilot Whale*, *Sei Whale*, *Grey Whale*, and *Fin Whale*. These vessels, now registered under Guinea-Bissau, were chosen for this case study due to their history of changing names, flags, and possible involvement in IUU fishing. Their complex corporate structure makes them difficult to track.



**RIGHT WHALE**

IMO: 8228543

|↔| Vessel Length: 104 M



**PILOT WHALE**

IMO: 7703986

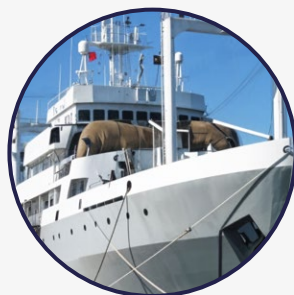
|↔| Vessel Length: 94 M



**SEI WHALE**

IMO: 7703950

|↔| Vessel Length: 94 M



**GREY WHALE**

IMO: 7703962

|↔| Vessel Length: 94 M



**FIN WHALE**

IMO: 8314299

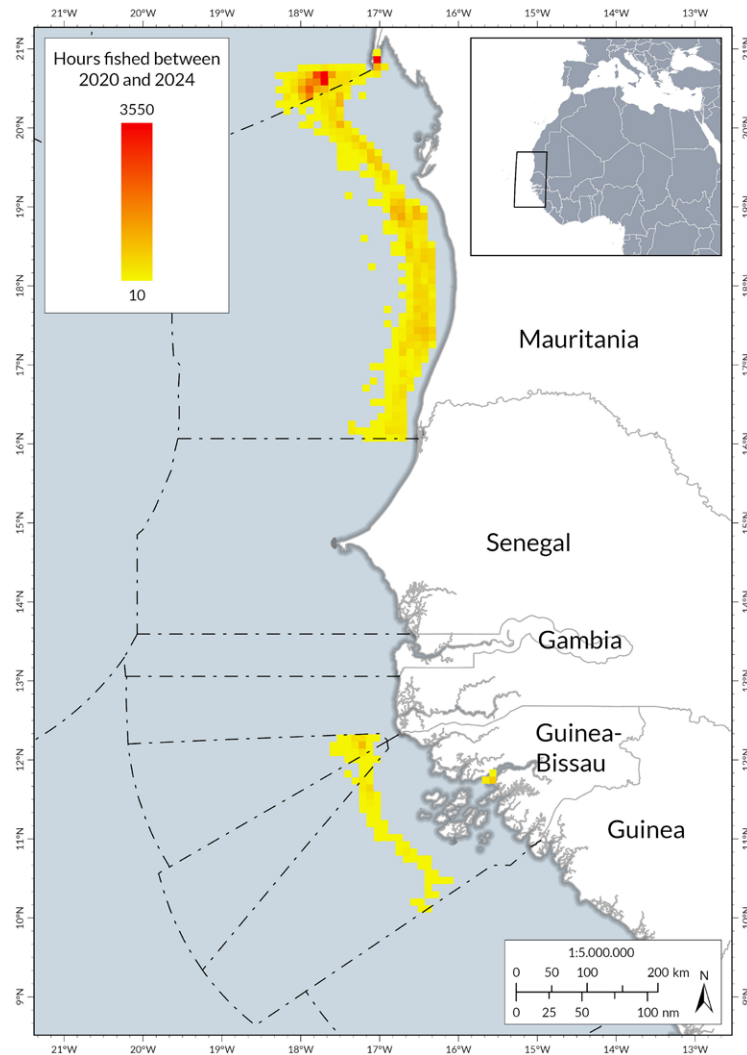
|↔| Vessel Length: 93 M

Source: Lloyd's List Intelligence

Their current registered owner is a Maltese company, Ocean Whale Company Limited, which is run by four EU nationals from Malta, Lithuania, and Latvia. Information from the International Consortium of Investigative Journalists, which is best-known for its investigations of the Panama Papers, and the Maltese

Business registry<sup>32</sup> suggests that this company might be a shell company.<sup>33</sup> Using Lloyd's List Intelligence data,<sup>12</sup> the beneficial owners of the five vessels can be traced back to Bozena Basina, a Lithuanian national, and Fish Fleet Management, a company based in the United Arab Emirates.

## Combined fishing activity of the 5 Ocean Whale vessels from 2020-2024.



Source: Global Fishing Watch

Since 2007, these vessels have frequently been re-flagged to countries with weak control over their fleets and waters, which increases the risk of IUU fishing. They have previously flown the flags of several yellow-carded and red-carded countries: Comoros, St. Kitts and Nevis, and Cameroon. This frequent re-flagging shows a possible strategy to take advantage of countries with lax regulations and to avoid accountability. They also might not fish in the waters of their flag state. In fact, even if these vessels frequently re-flagged and changed names, Global Fishing Watch data indicate that most of their presumed fishing activity was in the waters of Mauritania.<sup>34</sup> These data suggest that the five vessels combined logged 33,500 active fishing hours in Mauritania's Exclusive Economic Zone between 2020 and 2024. The 'Whale' fleet may have employed this strategy to target a more abundant small pelagic stock in Mauritania, while bypassing its stricter registration processes by registering to Cameroon and Guinea-Bissau. In addition, one of the vessels has been suspected of engaging in

illegal fishing activities over the years. In 2010, Greenpeace witnessed the vessel *Pilot Whale*, previously called *Mikhail Verbitsky*, making illegal incursions in Senegalese waters, even though it only had a permit to fish in Guinea-Bissau.<sup>35</sup>





## EU-owned vessels might bypass fishing restrictions using the Guinea-Bissau flag

Sustainable Fisheries Partnership Agreements (SFPAs) allow certain EU vessels to fish in the waters of non-EU countries in exchange for financial contributions. These agreements aim to support sustainable fisheries management and local development, only fishing the surplus of the available fish populations or for tuna like species staying within the limits set by Regional Fisheries Management Organizations.<sup>b</sup>

The recently negotiated five-year SPFA with Guinea-Bissau, currently under provisional application, grants fishing rights to EU fleets from France, Greece, Italy, Portugal, and Spain to target a range of marine species, including crustaceans, cephalopods, and highly migratory fishes.<sup>36</sup> Under the SPFA, the EU is paying Guinea-Bissau EUR 17 million a year, including EUR 4.5 million to support the local fisheries sector. In exchange, the agreement allows access to Guinea-Bissau waters for 41 vessels catching tuna and tunalike species, as well as around 21 trawlers flagged to EU Member States.<sup>37</sup>

Guinea-Bissau's economy is reliant on its marine resources, with the fishing sector, including payments for foreign vessels to access its waters, representing on average 15% of its total budget revenues and almost 50% of non-tax budget revenues.<sup>37</sup> However, Guinea-Bissau cannot export seafood to the EU, as it has not met the health and sanitary requirements to export. It is estimated that only 3% of seafood caught in Guinea-Bissau's waters is landed in the country; most of the catches are landed in Senegal, which is allowed to export to the EU.<sup>37</sup> Senegal was assigned a yellow card in May 2024 by the EU for its failure to tackle IUU fishing, particularly in relation to ineffective port controls and inadequate tracing of seafood.<sup>38</sup> In addition to the EU, Guinea-Bissau also allows other foreign-flagged vessels to fish in its waters (see more information in the table below). As shown in Table 1, European Commission data from 2021 indicate that there were 147 vessels active in the waters of Guinea-Bissau, excluding vessels that catch tunalike species.

Table 1. Number of commercial vessels fishing in the waters of Guinea-Bissau (excluding those that targeted tuna) in 2021, according to flag state and main fishing target.

Source: European Commission: Directorate-General for Maritime Affairs and Fisheries, Caillart, B., Guérin, B., & Guélé, M. (2023)<sup>37</sup>

	Crustaceans	Cephalopods	Non-pelagic species	Pelagic species	Total
Angola			1		1
Belize				3	3
Cameroon				2	2
China		22	64		86
Gambia	1		1		2
Guinea-Bissau	1	4	6	8	19
Italy		3			3
Morocco	3				3
São Tomé and Príncipe				2	2
Senegal	9	1	2		12
Spain	7	6			
Turkey				1	1
<b>Total</b>	<b>21</b>	<b>36</b>	<b>74</b>	<b>16</b>	<b>147</b>



Guinea-Bissau allows vessels in its waters that catch tunalike species whose catches are managed by the International Commission for the Conservation of Atlantic Tunas (ICCAT), even though Guinea-Bissau does not have any vessels that fish tunalike species. In 2024, the ICCAT Compliance Committee noted that Guinea-Bissau remains a country that is failing to meet its obligations as a member of ICCAT, due to recurring and significant reporting issues, including no submission of the required Annual Report or statistical data for seven years in a row.<sup>39</sup> It also subject to an ICCAT species retention ban for failing to meet reporting obligations, including the requirement to either submit catch data or confirm having made no catches.<sup>40</sup> This ban prohibits Guinea-Bissau from catching species managed under ICCAT until compliance is achieved. ICCAT has also noted that Guinea-Bissau filed invalid claims for exemptions from billfish and shark conservation requirements, and has not put in place a scientific observer program. These issues of non-compliance show an inability or unwillingness to meet ICCAT obligations.

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Using data from Lloyd's List Intelligence,<sup>12</sup> Oceana examined the available information on the beneficial owners of the commercial fishing fleet registered under the Guinea-Bissauan flag. The findings reveal that at least 13 of these vessels have EU beneficial owners (see Annex 1)

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Other research has shown that one of these vessels, *Flipper 5* (IMO: 8522262) was found to have engaged in an illegal transshipment in the waters of Guinea-Bissau in 2017.<sup>41</sup>

Guinea-Bissau's waters fall within the area of the Eastern Central Atlantic Fisheries Commission (CECAF), a non-binding regional FAO body that promotes sustainable management of marine resources in the region. In 2022, **CECAF scientists recommended reducing fishing effort for already overfished pelagic species in the region**, and advised against increasing pressure for other stocks.<sup>42</sup> The guiding principles of SFPAs permit EU fleets to fish only surplus stocks within the waters of the partner country.<sup>38</sup> To align with this, the European Commission decided to exclude small pelagic species from the possible species that EU-flagged vessels may target under the SFPAs with Guinea-Bissau.<sup>43</sup>

However, **some EU nationals might be circumventing these restrictions by registering their vessels under the flag of Guinea-Bissau and possibly accessing the pelagic stocks that EU-flagged vessels cannot fish**, undermining EU efforts to only fish surplus stocks. Guinea-Bissau does not require Automatic Identification System (AIS) tracking for its flagged vessels, which leads to a lack of information on their fishing activities.





## Conclusions and Recommendations

To identify EU nationals profiting from IUU fishing and to enforce relevant EU laws, enhanced efforts are needed by both the EU and non-EU countries. Oceana's recommendations, listed below, lay out how the European Parliament, European Commission, and Member States can work together to limit illegal fishing, while promoting transparency, accountability, and responsible fishing practices, both within the EU and globally.



### We call on the European Parliament to:

Put pressure on the European Commission and Member States to ensure that they fully implement the EU's zero-tolerance policy to IUU fishing. This includes making beneficial ownership public, and investigating and sanctioning EU citizens and companies if they engage in or support IUU fishing with non-EU flagged vessels.

Urge the European Commission and Member States to prioritise addressing the issue of flags of convenience.



### We call on the European Commission to:

Address the issue of flags of convenience, by stopping the use of flags of convenience for fishing vessels.

Ensure that Member States put in place the necessary national laws and systems to register, monitor, and sanction their nationals if they engage in IUU fishing under foreign flags and in non-national waters.

Require Member States to publicly disclose the ownership of vessels flagged to partner countries under future SFPAs.

Enforce the non-discrimination and the transparency clauses of SFPAs.<sup>f</sup> Few partner countries publish the required information. As a result, the full footprint of fishing activities remains unclear, raising doubts about the sustainability of these agreements.

Call on partner countries to collect beneficial ownership information when licensing vessels to fish in their waters and to upload this information in the FAO Global Record.

<sup>f</sup> Most SFPAs include a form of 'non-discrimination clause' under which the non-EU country should offer similar financial and/or technical conditions as those that apply under the SFPAs to other distant water fleets fishing in the area, to ensure a level playing field. Additionally, to improve transparency, most active SFPAs have some form of 'transparency clause' in place. Generally, there are two types of transparency clauses: (1) Those that require the partner country to make public any agreement authorising foreign fleets to access and fish in their national waters; and (2) Those that require the partner country to provide the EU, through the Joint Committee, with relevant information on foreign access Agreements. This information helps to ensure the sustainability of fishing activities in the region by providing a complete overview of allocated fishing opportunities.



### We call on Member States to:

Strengthen their monitoring and enforcement mechanisms to prevent EU companies from engaging in fishing activities under flags of convenience, ensuring that all profits made from fishing activities by EU nationals, regardless of vessel flag, adhere to high sustainability standards.

Introduce requirements for nationals to report any legal, beneficial, or financial interests they hold in fishing vessels flagged to non-EU countries.

Create public national registers to centralise information on nationals with interests in foreign-flagged vessels.

Investigate nationals' ownership links to non-EU vessels and the activities of these vessels, prioritising vessels suspected to be involved in IUU fishing or flagged to countries that have been identified or pre-identified as non-cooperating in the fight against IUU fishing (i.e., red-carded and yellow-carded countries).

Exchange information with non-EU countries for the identification of national offenders, and exchange information on beneficial ownership and cases of non-compliance.

Upload beneficial ownership information into the relevant fields of the FAO Global Record.



### Concrete recommendations related to the SFPA with Guinea-Bissau



#### We call on the European Parliament, European Commission, and Member States to:

Advocate for turning the Fishery Committee for the Eastern Central Atlantic (CECAF) into a Regional Fisheries Management Organization (RFMO), to establish a binding legal framework. This would promote cooperation among African coastal states and support the development of management measures to end overfishing of small pelagic and demersal species in this area.



#### We call on the European Commission to:

Ensure better implementation of transparency and non-discrimination clauses in the Guinea-Bissau SFPA to ensure equal conditions for both EU and non-EU vessels. Guinea-Bissau should be encouraged to request beneficial ownership data for all vessels fishing in its waters.

Make the transparency clause data public. This would enable stakeholders to hold both the EU and Guinea-Bissau accountable, while ensuring sustainable management of marine resources.

Ensure sectoral aid is better aligned with local needs and increase transparency in how and where funds are spent, so that this aid effectively contributes to local sustainable development.

Make sectoral support spending, reports, and minutes from the bilateral meetings between Guinea-Bissau and the EU ('Joint Committee' meetings) publicly available on an annual basis and make them easily accessible to stakeholders in Europe and in the partner country throughout the implementation of the protocol, to ensure that funds are used appropriately and effectively.

## Annex 1

### ■ Colour Code



EU States



Countries listed as red-carded



Countries listed as yellow-carded

Vessels with EU ownership that are flagged to Guinea-Bissau as per information from Lloyd's List Intelligence<sup>12</sup> in December 2024

Vessel Name	IMO	Vessel Length	Previous Flags	Registered Owner	Beneficial Owner	Previous Ownership links to the EU
<i>Right Whale</i>	8228543	104 m	Soviet Union; Russia; Georgia; Saint Kitts and Nevis; Comoros; Saint Kitts and Nevis; Russia; Georgia; Russia; Cameroon	Ocean Whale Company Limited (Malta)  From 13 August 2019 to present	Bozena Basina (50%) & Fish Fleet Management FZE (50%) (Lithuania and United Arab Emirates)  From 27 October 2022 to present	—
<i>Pilot Whale</i>	7703986	94 m	Soviet Union; Russia; Saint Kitts and Nevis; Russia; Georgia; Cameroon	Ocean Whale Company Limited (Malta)  From 31 July 2019 to present	Bozena Basina (50%) & Fish Fleet Management FZE (50%) (Lithuania and United Arab Emirates)  From 27 October 2022 to present	—
<i>Sei Whale</i>	7703950	94 m	Soviet Union; Russia; Comoros; Russia; Saint Kitts and Nevis; Russia; Cameroon	Ocean Whale Company Limited (Malta)  From 21 June 2019 to present	Bozena Basina (50%) & Fish Fleet Management FZE (50%) (Lithuania and United Arab Emirates)  From 27 October 2022 to present	—
<i>Grey Whale</i>	7703962	94 m	Soviet Union; Russia; Comoros; Russia; Cameroon	Ocean Whale Company Limited (Malta)  From 4 July 2019 to present	Bozena Basina (50%) & Fish Fleet Management FZE (50%) (Lithuania and United Arab Emirates)  From 27 October 2022 to present	—
<i>Fin Whale</i>	8314299	93 m	Netherlands; Soviet Union; Russia; Cyprus; Comoros; Russia; Cameroon	Ocean Whale Company Limited (Malta)  From 11 December 2022 to present	Bozena Basina (50%) & Fish Fleet Management FZE (50%) (Lithuania and United Arab Emirates)  From 11 December 2022 to present	—

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Vessels with EU ownership that are flagged to Guinea-Bissau as per information from Lloyd's List Intelligence<sup>12</sup> in December 2024

Vessel Name	IMO	Vessel Length	Previous Flags	Registered Owner	Beneficial Owner	Previous Ownership links to the EU
<i>Flipper 5</i>	8522262	62 m	Soviet Union; Russia; Belize; Comoros	West Coast Frozen Fish SA (Guinea-Bissau)  From 29 May 2017 to present	West Coast Frozen Fish SA (Spain)  From 29 May 2017 to present	—
<i>Flipper X</i>	8522298	62.25 m	Russia; Belize	West Coast Frozen Fish SA (Guinea-Bissau)	West Coast Frozen Fish SA (Spain)	—
<i>Dzintarzeme</i>	8326266	62 m	Soviet Union; Latvia; Russia; Latvia; Saint Kitts and Nevis	Inmarine Klaipeda UAB (Lithuania)  From 8 November 2023 to present	Inmarine Klaipeda UAB (Lithuania)  From 8 November 2023 to present	—
<i>Dzintarsaule</i>	8012085	86 m	Netherlands; France; Palau	Inmarine Klaipeda UAB (Lithuania)  From 18 December 2020 to present	Inmarine Klaipeda UAB (Lithuania)  From 18 December 2020 to present	—
<i>Orango</i>	8716423	34 m	Spain	Antipesca Bissau Limiteda (Guinea-Bissau)  From 22 October 1998 to present	Antipesca S.L (Spain)  From 22 October 1998 to present	—
<i>Formosa</i>	7386544	34 m	Spain	Antipesca Bissau Limiteda (Guinea-Bissau)  From 1 August 2005 to present	Antipesca S.L (Spain)  From 1 August 2005 to present	—
<i>Uracane</i>	7387615	33 m	—	Antipesca Bissau Limiteda (Guinea-Bissau)  From 1 January 2005 to present	Antipesca S.L (Spain)  From 1 January 2005 to present	—
<i>Poilao</i>	7529512	38 m	—	Antipesca Bissau Limiteda (Guinea-Bissau)  From 2 March 2007 to present	Antipesca S.L (Spain)  From 2 March 2007 to present	—

Vessels with previous EU ownership links as per information from Lloyd's List Intelligence<sup>12</sup> in December 2024

Vessel Name	IMO	Vessel Length	Previous Flags	Registered Owner	Beneficial Owner	Previous Ownership links to the EU
<i>Fredrikshamn</i>	8730132	104.50 m	Lithuania; Saint Vincent and the Grenadines; Georgia; Cameroon	Unknown  From 25 September 2024 to present	Unknown  From 25 September 2024 to present	<b>Last EU beneficial owner:</b> Inok N.V (Belgium)  From 30 March 2015 to 3 July 2017
<i>Forsa</i>	8721208	104.50 m	Soviet Union; Russia; Lithuania; Saint Vincent and the Grenadines; Georgia; Cameroon	Blahnik Maritime SA (Marshall Islands)	Unknown	<b>Last EU beneficial owner:</b> Inok N.V (Belgium)  From 29 April 2015 to 3 July 2017
<i>Flipper 7</i>	8707757	62.20 m	East Germany; Germany; Russia; Germany; Russia; Comoros	Unknown	Unknown	<b>Last EU beneficial owner:</b> Sea Group S.L (Spain)  From 5 April 2016 to 19 September 2019
<i>Trondheim</i>	8832112	104.50 m	Russia; Saint Vincent and the Grenadines; Georgia; Cameroon	Unknown	Unknown	<b>Last EU beneficial owner:</b> Inok N.V. (Belgium)  From 26 April 2001 to 29 November 2015

Vessels with previous EU ownership links as per information from Lloyd's List Intelligence<sup>12</sup> December 2024, which are now flagged to Belize

Vessel Name	IMO	Vessel Length	Previous Flags	Registered Owner	Beneficial Owner	Previous Ownership links to the EU
<i>Fishing Vest</i>	8033869	103.70 m	Soviet Union; Russia; Latvia; Saint Kitts and Nevis; Latvia; Cameroon; Guinea-Bissau; Belize	Unknown	Unknown	<b>Last EU beneficial owner:</b> SIA Baltreids (Latvia)  From 23 August 2012 to 6 November 2019
<i>Fishing Sea</i>	8136623	104.50 m	Soviet Union; Russia; Saint Kitts and Nevis; Georgia; Cameroon; Guinea-Bissau; Belize	Unknown	Unknown	<b>Last EU beneficial owner:</b> SIA Baltreids (Latvia)  From 1 January 2012 to 13 October 2020  Note: The company Baltreids SIA, in correspondence with Oceana, denies having been the beneficial owner of <i>Fishing Sea</i>
<i>Marshal Krylov</i>	8035099	103.70 m	Soviet Union; Russia; Latvia; Saint Kitts and Nevis; Latvia; Saint Kitts and Nevis; Georgia; Cameroon; Guinea-Bissau; Belize	Unknown	Unknown	<b>Last EU beneficial owner:</b> SIA Baltreids (Latvia)  From 1 January 2016 to 31 December 2017



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