

## Cracking down on illegal fishing in SA waters

A few months ago, SA's oceans were the scene of what can only be described as two high-action pursuits by SA authorities of suspicious Chinese vessels fishing illegally in SA waters, writes Berning Robertson, senior associate, shipping & logistics, Bowmans Durban, on the [Polity](#) site. 'In one incident the authorities rounded up nine Chinese fishing vessels which initially co-operated, but then suddenly, acting in unison, scattered in all directions. A SA patrol vessel kept up with one of the fishing vessels, the "Lu Huang Yuan Yu 186", took it into custody and escorted it to Cape Town where it was seized. The other eight vessels avoided seizure,' he explains. 'In the second incident the authorities detained three Chinese vessels on suspicion of illegal squid fishing. Authorities, knowing the vessels did not have permits, asked the vessels to sail to port. Two of the three Chinese vessels allegedly played "cat and mouse" with the South African navy before they were eventually cornered and frogmarched to East London,' he notes. **'In both of the above incidents the vessels were found to be without permits to have fishing gear on board,'** states Robertson. 'A foreign fishing vessel cannot enter our waters without a permit authorising the vessel to have fishing gear on board, even if it is just innocently passing through. Application should be made to the Department of Agriculture, Forestry and Fisheries prior to entering SA waters and is a fairly simple process. This is a contravention that can be fairly easily prosecuted successfully and the masters of such vessels can be found guilty,' he says. 'Not having a permit may seem a trivial offence, but in light of the fact that other more serious offences will be difficult to prosecute, a contravention of the Marine Living Resources Act and its regulations should be punished to the fullest extent possible in order to deter illegal fishing,' he opines. 'At the same time, responsible and justifiable enforcement of the regulations and Act should be of the utmost importance as it is economically desirable for international fishing fleets to re-supply in SA and, from a reputational point of view, the country cannot afford for vessels to be seized and masters arrested without reasonable cause,' he concludes.