

TECHNICAL REPORT

STATE INTERVENTION IN CASES OF ILLEGAL FISHING IN THE ARGENTINE EXCLUSIVE ECONOMIC ZONE (EEZ).



Document prepared for CAPA



RESILIENCE
CONSULTORA AMBIENTAL

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1. INTRODUCTION

Within the framework of the Argentine Squid Fishery Improvement Project (FIP), it has been requested to document and analyze the actions undertaken by the Argentine State to prevent, deter, and eliminate illegal, unreported, and unregulated (IUU) fishing within Argentina's Exclusive Economic Zone (EEZ). This issue represents a serious threat both to the sustainability of fishery resources and to the country's maritime sovereignty and security.

Through the analysis of concrete cases, enforcement operations, and current regulations, this report seeks to highlight the commitment of the national government and the effectiveness of the institutions responsible for controlling fishing activities and protecting Argentina's maritime territory. In particular, it highlights the coordinated actions of the Argentine Coast Guard (Prefectura Naval Argentina), the Argentine Navy, and the Undersecretariat of Fisheries and Aquaculture, in coordination with other agencies.

This work is part of the governance and compliance component of the Argentine squid FIP and aims to strengthen transparency, make ongoing efforts visible, and contribute to the recognition of Argentina's performance in the face of the challenges posed by IUU fishing in the Southwest Atlantic.

2. APPLICABLE LEGAL FRAMEWORK

The Argentine Republic has a solid legal framework to address illegal fishing:

- Law No. 24.922 - Federal Fisheries Regime: Chapter XIII of Law No. 24.922 regulates the System of Infractions and Sanctions, which includes the summary procedure to be

carried out for alleged infractions committed during commercial fishing activities by Argentine-flagged vessels and foreign-flagged vessels engaging in illegal fishing in waters under national jurisdiction of the ARGENTINE REPUBLIC.

According to Article 4, the marine living resources within the waters of the Argentine EEZ and the Argentine continental shelf from TWELVE (12) nautical miles onwards are under the exclusive domain and jurisdiction of the National State. As a coastal state, the ARGENTINE REPUBLIC may adopt conservation measures in the Argentine EEZ and the adjacent area for transboundary and highly migratory resources, or for those belonging to the same population or populations associated with species in the Argentine EEZ.

In this context, it is necessary to explain the grounds on which Argentina is authorized to intervene in the activities carried out by vessels flagged by third-party states. Article 5 of the Federal Fisheries Regime defines its scope of application as follows:

- I. The regulation of fishing in maritime areas under national jurisdiction, which is also emphasized in items c) and d) of Article 1 of Regulatory Decree No. 748 dated July 14, 1999, and II. The regulation of fishing in the Area Adjacent to the Argentine EEZ regarding migratory resources or those belonging to the same population or populations associated with the species of the EEZ.
- Provision No. 50 dated January 27, 2004, of the UNDERSECRETARIAT OF FISHERIES AND AQUACULTURE of the former SECRETARIAT OF AGRICULTURE, LIVESTOCK, FISHERIES AND FOOD of the then MINISTRY OF ECONOMY AND PRODUCTION: established that, for the purposes of Article 54 of Law No. 24.922, the ARGENTINE COAST GUARD, after notifying the National Directorate of Fisheries Coordination and Control of the SECRETARIAT OF AGRICULTURE, LIVESTOCK AND FISHERIES of the MINISTRY OF ECONOMY, shall initiate and process administrative proceedings in the following cases:
 - I. For alleged infractions to the fisheries legal framework committed by Argentine-flagged vessels outside the Argentine EEZ; II. For alleged infractions committed in the area defined in Article 1 of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), approved by Law No. 22.548, and III. For alleged infractions detected by the ARGENTINE COAST GUARD during its control operations in the area established in Article 4 of Law No. 24.922.

- II. Additionally, in relation to foreign vessels, the ARGENTINE COAST GUARD shall conduct the corresponding administrative investigation to determine whether an infraction has occurred. Once the investigation phase is completed, it will forward the case to the Enforcement Authority for determination of applicable sanctions. The Enforcement Authority may order the reopening of the proceedings, either ex officio or at the request of a party, if deemed necessary, as established in Article 50 of Law No. 24.922.
- Provision No. 23/2022 of the National Directorate of Fisheries Coordination and Control: Approves the "Administrative Procedure Manual" for the processing of infractions under Law No. 24.922. This provision sets clear guidelines for the investigation, defense, and resolution of cases; updates financial penalties through the creation of the Fishing Unit (UP) as a calculation parameter; and establishes that fines for repeat offenses within five (5) years will be doubled.
 - Provision No. 25/2022 of the National Directorate of Fisheries Coordination and Control: complements the previous provision and expands on operational control and sanction mechanisms, including:
 - a) The possibility of detaining foreign vessels captured within the EEZ for illegal fishing until the administrative proceeding is resolved.
 - b) The interruption of fishing trips in serious cases, following assessment by the Enforcement Authority.
 - c) The procedure for electronic notification (TAD) and the legal effects of the special electronic address constituted by the companies.
 - Law No. 18.398 - General Law of the Argentine Coast Guard: establishes the functions of the Argentine Coast Guard as the national maritime authority, granting it the authority to:
 - a) Conduct patrol, control, and surveillance operations in the EEZ.
 - b) Detain vessels engaged in illegal fishing.
 - c) Assist the Enforcement Authority of the Federal Fisheries Regime in collecting evidence, preparing reports, and implementing safety measures.

- Law No. 20.094 - Navigation Law: regulates all aspects of navigation in Argentine jurisdictional waters. Among its most relevant provisions:
 - a) Authorizes interdiction and boarding of vessels by the competent maritime authority.
 - b) Establishes procedures for detention and preventive retention in port in cases of violation of national or international laws.

- Customs Code – Law No. 22.415: applies in cases where unauthorized transshipment or fishing of controlled species without customs declaration is detected, which may constitute smuggling. Article 864 establishes aggravated penalties for acts that affect national security or violate natural resource conservation laws.

- Main Applicable International Agreements:
 - I. United Nations Convention on the Law of the Sea (UNCLOS): Recognizes the sovereign rights of coastal states over living resources in their EEZs (arts. 56 and 73) and authorizes the adoption of conservation and control measures.
 - II. Port State Measures Agreement (PSMA): Although Argentina has not yet formally ratified this agreement, it is currently in the process of accession. The PSMA establishes strict measures to deny port access to vessels suspected of IUU fishing, reinforcing international cooperation among States to prevent the landing of illegal catches.
 - III. United Nations Fish Stocks Agreement (1995): Complementary to UNCLOS, it reinforces the precautionary approach and the obligation to cooperate in the conservation of migratory and highly exploited species through regional and global mechanisms.
 - IV. Bilateral Agreements or Memoranda of Understanding (MoUs): Argentina maintains agreements with countries such as China, South Korea, and Spain for naval and fisheries cooperation, information exchange, consular assistance, and early communication in cases involving foreign vessels.
 - V. Code for Unplanned Encounters at Sea (CUES): Adopted among signatory countries of the Western Pacific Naval Incident Agreement, and applied in practice by Argentina to regulate interception, communication, and identification procedures for foreign vessels detected operating in the EEZ without authorization. It defines rules for the use of visual signals, radio communication, compliance with safety regulations, and preservation of human life at sea.

3. FOR STATE INTERVENTION IN CASES OF DETECTED ILLEGAL FISHING

The Argentine State, through its competent agencies, applies a rigorous and coordinated protocol for the detection, verification, and sanction of illegal fishing activities within its EEZ. This procedure comprises the following stages:

- MONITORING AND DETECTION:

Surveillance of the national maritime space is carried out through an integrated control system that combines various technologies and platforms, including:

1. Coast Guard System: the central surveillance platform of the Argentine Coast Guard (Prefectura Naval Argentina). This system integrates information from various sources:
 - A) Coastal radar: enables real-time monitoring of maritime traffic near the coast.
 - B) Automatic Identification System (AIS): mandatory for vessels of a certain length, allows tracking of position, speed, and course. The unjustified absence or deactivation of AIS is an early alert of potential illicit activity.
 - C) Satellite Monitoring System of Fishing Vessels (SI.MO.NA.): managed by the Undersecretariat of Fisheries and Aquatic Resources, enables real-time tracking of the national fishing fleet and detection of foreign vessel intrusions by comparison with official records.
 - D) SEAVIEW satellite system and VMS (Vessel Monitoring System): satellite observation technologies that detect vessels beyond the range of coastal radar or AIS.
 - E) Information from the GRAFIMAR system of the Naval Hydrographic Service and the Federal Environmental Monitoring Network, when required.

2. Trajectory Verification: Once a suspected foreign vessel incursion into the EEZ is detected: i) The position and trajectory are verified through various sources (AIS, radar, satellite images). ii) Vessel behavior is analyzed to confirm fishing maneuvers (turning, slowing, erratic movements). iii) Visual verification: a. If a possible infraction is detected, air or maritime units are deployed to visually confirm the suspicious activity and gather evidence.

- INTERCEPTION AND BOARDING:

Once illegal fishing activity within the Argentine EEZ is verified and the infraction confirmed through trajectory, speed, and behavior analysis, orders for detention and interception are issued. These operations may be carried out by the Argentine Coast Guard (PNA) or, in special cases, by the Argentine Navy when deployment of high-seas naval resources is required beyond the operational capabilities of the PNA.

The interception and boarding protocol is governed by the Code for Unplanned Encounters at Sea (CUES), an international instrument signed by Argentina under the Western Pacific Naval Symposium (WPNS). Although originally related to military operations, its application has progressively extended to non-military maritime security interventions, including illegal fishing.

CUES is a set of standardized procedures and communications designed to reduce the risk of incidents, misunderstandings, or escalations during unplanned encounters between vessels or aircraft of different countries at sea. It is not legally binding but acts as an internationally accepted operational guide to ensure safe navigation and interception procedures.

Key CUES principles applicable to illegal fishing:

- Clear identification: the Argentine authority must identify itself unambiguously and establish visual or radio contact (typically on VHF international channels 16 or 13).
- Issuance of warnings: the offending vessel is ordered to cease its activity and stop. It is requested to activate AIS and transmit documentation.
- Restriction on the use of force: any coercive measure must be gradual, proportional, and aimed at avoiding harm, prioritizing communication as the first tool.
- Interaction records: the entire process must be documented by audiovisual means and operational logs to ensure legal and diplomatic traceability.

- Crew protection: in the case of boarding, precautions must be taken to ensure the physical integrity of the intercepted vessel's crew, guaranteeing respectful treatment according to international standards.

Practical application in Argentine operations:

Argentina has applied CUES as the operational standard in multiple successful interceptions of foreign vessels engaged in illegal fishing, especially those flying Chinese or Taiwanese flags operating within the EEZ without authorization. In such cases, the Coast Guard or Navy has followed CUES procedures: initial warnings, then deterrent maneuvers, and finally, if the vessel attempted to flee, pursuit and even warning shots, in accordance with the Navigation Law and CUES principles.

In summary, CUES provides legitimacy and predictability to Argentina's actions, reinforces procedural transparency, and helps reduce diplomatic tensions with the countries of origin of offending vessels by demonstrating that actions are conducted in accordance with international maritime conduct standards.

- ADMINISTRATIVE PROCEEDINGS:

a) By the Authority of the Federal Fisheries Regime

Violations of laws, decrees, resolutions, or provisions governing activities related to marine living resources under the jurisdiction of the NATIONAL EXECUTIVE POWER shall be sanctioned by the Enforcement Authority of the Federal Fisheries Regime based on information and documentation provided by the Directorate of Fisheries Administration, the Directorate of Control and Inspection—both part of the National Directorate of Fisheries Coordination and Control under the SECRETARIAT OF AGRICULTURE, LIVESTOCK, AND FISHERIES of the MINISTRY OF ECONOMY—and the ARGENTINE COAST GUARD, an agency under the MINISTRY OF SECURITY.

The National Directorate of Fisheries Coordination and Control initiates the administrative proceedings for the alleged infractions reported by the aforementioned agencies.

Initially, the head of the National Directorate will request that the Coordination of Analysis of Infractions and Sanctions conduct an analysis to determine whether infractions

have occurred and, if so, propose opening the corresponding administrative case. This initial instruction includes the following information:

- I. Name of the fishing vessel;
- II. National Registration Number;
- III. Electronic Case Number;
- IV. Reference to the electronic document that detected the alleged infraction;
- V. Identification of the regulations potentially violated.

This document is linked to the Electronic File and passed to the "Private" sector (PVD) of the Coordination of Analysis of Infractions and Sanctions.

Once submitted, an investigating attorney is randomly assigned to draft the proposal to open proceedings. After reviewing the documentation, the attorney may submit a draft report for consideration.

The coordinator reviews the file, determines if regulations were violated, and submits sanction proposals to the head of the Directorate. Penalties may include:

- VI. Warning (for minor infractions);
- VII. Fine;
- VIII. Suspension of vessel registration from 5 days to 1 year;
- IX. Cancellation of vessel registration;
- X. Seizure of fishing gear/equipment;
- XI. Seizure of illegally obtained catch;
- XII. Seizure of the fishing vessel.

If legal criteria are met, the Directorate head orders the initiation of proceedings. The file must contain:

- I. Name of the fishing vessel;
- II. National Registration Number;
- III. Electronic Case Number;
- IV. Reference to the detecting electronic document;
- V. Identification of the fishing trip during which the infractions occurred;
- VI. Identification of relevant regulations;

VII. Identification of the vessel owner/operator at the time of the infraction;

VIII. Determination of sanctions (including fine amounts in Fishing Units).

According to Provision No. DI-2020-233-APN-SSPYA#MAGYP (15 December 2020), notification is made via the special electronic address (TAD platform). Notification is deemed effective on the first business day following delivery.

A "Notification Certificate" is issued by the Coordination, specifying:

- I. Name of the vessel owner;
- II. Special Electronic Address number;
- III. Name of the fishing vessel;
- IV. National Registration Number;
- V. Electronic Case Number;
- VI. Identification of potentially violated regulations;
- VII. Fishing trip during which infractions occurred;
- VIII. Description of facts and supporting documents;
- IX. Determination of sanctions (with amounts in Fishing Units);
- X. Unit value of the Fishing Unit at the time of notification;
- XI. Relevant regulatory text;
- XII. Required information for admitting or responding to charges.

After notification, the responsible party has TEN (10) business days to submit information or defense through the "Administrative Proceedings for Infractions – Law No. 24.922" procedure on the TAD platform. The electronic case is automatically forwarded to the appropriate administrative department for processing.

The investigating attorney issues summonses, verifies admissions, proposes evidence proceedings, or drafts the technical report and resolution proposal.

The coordinator evaluates the technical report and proposal. The Directorate may approve or return it for revision. If approved, the file is sent for registration and issuance of the administrative act.

The Legal Affairs Directorate reviews the draft administrative resolution. The file is then forwarded to the UNDERSECRETARIAT OF FISHERIES AND AQUACULTURE. Following legal validation, the Directorate may:

- i) Request signing of the resolution by the Undersecretary, or
- ii) Return the file for corrections.

If the resolution is signed, it is communicated to the Coordination. If the alleged offender is acquitted, the resolution is notified electronically and archived.

If sanctions are imposed, the Coordination ensures notification, monitors compliance, and enforces deadlines.

Sanctions can be appealed within FIVE (5) business days via a request for reconsideration. The Enforcement Authority must respond within TWENTY (20) business days. A confirmed sanction may be appealed to the Federal Administrative Court within FIVE (5) business days, subject to payment or security deposit.

If fines are unpaid and no appeal is filed, the Coordination recommends legal collection proceedings under the Argentine Civil and Commercial Procedural Code. A debt certificate is issued and processed as a fiscal execution.

b) Initiation of Administrative Proceedings by the Argentine Coast Guard (PNA)

The Argentine Coast Guard (PNA), acting as the national maritime authority and a police entity in aquatic environments, is empowered to initiate administrative proceedings when infractions related to fishing activities are detected—particularly unreported, illegal, and unregulated (IUU) fishing within Argentina’s Exclusive Economic Zone (EEZ).

The legal basis for this authority lies in Law No. 18.398 (the Organic Law of the Argentine Coast Guard), which grants the PNA oversight and control functions in jurisdictional waters. Under this law and Federal Fisheries Law No. 24.922, the PNA may open an administrative investigation when presumed infractions against fisheries regulations are verified. The standard PNA procedure includes:

A) Infringement detection

Using its maritime surveillance systems (such as the Coast Guard System, AIS, coastal radar, satellite imagery, or physical patrols), the PNA identifies vessels fishing in prohibited zones or without authorization.

B) Inspection report and preventive seizure

Once an infraction is verified in situ or via remote means, an Inspection Report is drafted, describing the facts, geographic position, fishing gear used, catch, and any other pertinent details. In serious or blatant cases, the infringing vessel may be intercepted, escorted to port, and the vessel, catch, and fishing gear provisionally seized.

C) Opening the administrative proceeding

The territorially competent Judicial Police Delegation of the PNA conducts the administrative proceeding per the General Regulation for Navigation Safety Police and internal norms. The vessel operator's right to defense is ensured by summoning them to file a response and present evidence.

The proceeding must include:

- i. Vessel and owner/operator identification.
- ii. Description of the infringing act.
- iii. Presumed violations of regulations.
- iv. Evidence (photos, reports, radar logs, etc.).

D) Notification to the alleged offender

After formally initiating the proceeding, the PNA officially notifies the vessel owner or responsible party, informing them of the allegedly committed infraction and granting a statutory period to submit a written defense or to agree to the charges. If the party admits the infraction, the sanction may be determined more swiftly and possibly reduced. If no response is received by the deadline, their right to defense is considered waived, and the process continues toward sanction.

E) Resolution and forwarding

Once the proceeding concludes, the PNA issues an administrative resolution imposing—if appropriate—the sanctions

provided by Law No. 24.922 and related regulations, or dismisses the case if no violation is proven.

If the case exceeds the PNA's sanctioning authority or falls under the Federal Fisheries Regime, the file is forwarded to the National Directorate of Fisheries Coordination and Control for continuation of the process and sanctioning.

APPLICATION OF SANCTIONS:

Fines for alleged infractions committed on trips starting from 2 October 2020 (following amendments by Law No. 27.564) are denominated in Fishing Units (UP), equivalent to the price of one liter of diesel fuel. The Enforcement Authority sets their legal currency value semiannually, based on the final public sale price of diesel grade 2 (or successor) in Buenos Aires, as reported by the Secretariat of Energy, Ministry of Economy.

UP values become legally binding when the infringer admits the charge or makes the full fine payment after the administrative act becomes final or a judicial resolution is issued. Disposition No. DI-2020-226-APN-SSPYA#MAGYP (10 Nov 2020) mandates updating UP values on 1 April and 1 October each year. Fines range from a minimum of 1,000 UP to a maximum of 300,000 UP.

For infractions like fishing without authorization, without quota, or in prohibited zones, the minimum fine is 3,000 UP. If caught fishing without permission, the minimum is 500,000 UP and the maximum 3 million UP.

In case of repeat offense within five years, the minimum and maximum fines specified under Article 51 bis double. Recidivism applies to the vessel, owner, or operator indifferently.

A) Confiscation

Fish on board a foreign-flagged vessel operating in Argentine jurisdictional or sovereign waters without express authorization is presumed caught therein. The National Directorate of Fisheries Coordination and Control then proceeds with confiscating the vessel, catch, gear, and arranging for their auction.

Similarly, catch on a national-flagged vessel in a closed zone without prior declaration is presumed illegal and penalized accordingly.

The Directorate sets confiscation value based on official and commercial price reports on or near the arrival date, on a “free on board” basis and processing stage.

The Directorate notifies the offender of the required deposit within 10 business days. The offender may request a recalculation with supporting documentation. The Directorate’s response is final. Non-payment makes the goods unavailable for disposal, and the infringer bears all maintenance costs.

B) Administrative expenses

Costs for towing, piloting, port services, customs, sanitation, and migration incurred by infringing vessels, and costs incurred by public institutions, must be paid by the owner or operator before vessel release.

For foreign vessels, the Authority may order retention in port until fine payment. The owner bears all port, crew, and cargo maintenance costs.

INTERNATIONAL COOPERATION:

For foreign-flagged vessels, Argentina activates international cooperation mechanisms to ensure legality and respect for international law.

The Ministry of Foreign Affairs (Argentina’s diplomatic body) coordinates formal communications with the vessel’s flag State, including:

- I. Official notification regarding capture, detention, and sanction processes.
- II. Requesting cooperation for documentation, history, or other information.
- III. Ensuring respect for procedural guarantees for foreign crew.

Argentina may rely on international agreements like the 1995 Fish Stocks Agreement and bilateral or multilateral fishing or maritime cooperation MoUs (e.g. with neighboring countries or China for fisheries and naval cooperation).

In some cases, the Foreign Ministry liaises with the International Maritime Organization (IMO) or regional fisheries management organizations (RFMOs) like the South-Atlantic Regional Fisheries Management Organization (OROPAS)

Foreign Ministry intervention strengthens Argentina's sovereign position under UNCLOS and supports maritime resource control against unauthorized vessels.

If a foreign vessel is detained in an Argentine port, the Foreign Ministry also assists with consular coordination, crew legal support, and repatriation efforts via its diplomatic missions.

4. DOCUMENTED CASES OF INTERVENTION

4.1 Case: Vessel *Lu Yan Yuan Yu 010* – March 2016

Detection:

The Argentine Coast Guard vessel *GC-28 Prefecto Derbes* of the Argentine Coast Guard (PNA) pursued the *Lu Yan Yuan Yu 010*, a Chinese-flagged fishing vessel, which was detected fishing illegally through Puerto Madryn (Chubut Province), within the Argentine Exclusive Economic Zone (AEEZ). The detection occurred during routine patrol and monitoring operations carried out by the coast guard vessel.

Intervention:

According to the applicable protocol, the Coast Guard attempted to deter the offending vessel through communications in both Spanish and English, accompanied by light and sound signals. The objective was to get the fishing vessel to cease its activity and allow for inspection. Additionally, a Coast Guard aircraft was deployed in support of the patrol vessel.

Resistance and evasive maneuvers:

The infringing vessel not only ignored the stop orders, but also performed dangerous maneuvers, including an attempted collision with the coast guard ship. In response, and in defense of the Argentine crew's safety, warning shots were fired in accordance with the

operational protocol. This action proved decisive in stopping the vessel and rescuing the crew.

Involved institutions:

- Argentine Coast Guard (Prefectura Naval Argentina): Sole authority cited in the source as responsible for detection, pursuit, and operational enforcement.
- Federal Court of Rawson: Took charge of the legal proceedings for violation of the Federal Fisheries Regime.
- Argentine Ministry of Foreign Affairs (Cancillería): Handled diplomatic communications with the vessel's flag State (Chinese Consulate), if necessary.

News link: <https://www.liganaval.org.ar/nota-88-prefectura-naval-persigui-a-otro-pesquero-chino-pescando-en-forma-ilegal-en-la-zee-argentina?>

4.2 Case: Fishing Vessel *Hua Li 8* (Chinese Flag) – March 2016

Initial detection in Argentina:

The vessel *Hua Li 8* was detected by the Argentine Coast Guard illegally fishing within the Argentine Exclusive Economic Zone (AEEZ), off the coast of the San Jorge Gulf. The patrol observed its fishing lights on within the restricted area.

Attempted interception and escape:

The Coast Guard activated the warning and pursuit protocol, which included radio communications, visual and acoustic signals. The vessel switched off its lights, ignored the orders, and fled towards international waters.

Intervention by Uruguayan authorities:

Since the *Hua Li 8* entered the maritime area under Uruguay's responsibility (as per the Río de la Plata Treaty), the Uruguayan authorities were notified and deployed resources to continue the pursuit, although they were also unable to detain the vessel.

Capture in Indonesia:

One month later, in April 2016, the vessel was apprehended by two Indonesian warships, acting on an Interpol order following an alert issued by Argentina through its Ministry of Foreign Affairs. It was identified as involved in illegal, unreported, and unregulated (IUU) fishing and was internationally wanted.

Involved institutions:

- Argentine Coast Guard: Detection, pursuit, and activation of enforcement protocol.
- Argentine Ministry of Foreign Affairs: Issuance of international alert.

- Uruguayan maritime authorities: Participated in the pursuit within their jurisdiction.
- Ministry of Maritime Affairs and Fisheries of Indonesia / INTERPOL: Executed the final capture of the vessel.

Outcome and significance:

Although the vessel initially escaped, it was eventually detained abroad thanks to international cooperation. This case highlighted both the jurisdictional challenges and the potential of regional and global coordination in combating IUU fishing.

News Links:

<https://www.lanacion.com.ar/sociedad/prefectura-persiguió-a-un-buque-chino-pescaba-dentro-de-la-zona-economica-argentina-nid1876569/>

<https://revistapuerto.com.ar/2016/04/atraparon-el-barco-chino-hua-li-8-en-indonesia/>

<https://www.lacapital.com.ar/informacion-general/escapo-prefectura-un-buque-chino-que-pescaba-aguas-prohibidas-n496252.html>

4.3 Case: Fishing Vessel *O Yang 77* (South Korean Flag) – February 2019

Detection and location:

The Argentine Coast Guard, through the GC-24 “Mantilla” patrol vessel, detected the South Korean trawler *O Yang 77* operating with deployed fishing nets within the Argentine Exclusive Economic Zone (AEEZ), approximately 0.5 nautical miles offshore near Comodoro Rivadavia. The vessel was carrying approximately 130 tons of fish, without authorization to fish.

Boarding action:

After identifying the foreign vessel, the Coast Guard patrol ordered it to stop and to receive the Boarding Party, in accordance with the Surface Units Procedure Protocol.

Transport to port:

Upon boarding, Coast Guard personnel confirmed that the vessel had captured around 130 tons of fish. The trawler was escorted to the port of Comodoro Rivadavia to continue with standard procedures.

Sanctions and consequences:

The vessel was detained and had to pay USD 600,000 in fines and operational costs.

News Links:

<https://www.argentina.gob.ar/noticias/capturaron-un-buque-pesquero-que-operaba-de-manera-ilegal?>

<https://revistapuerto.com.ar/2019/06/el-barco-surcoreano-que-pesco-ilegalmente-en->

4.4 Case: Fishing Vessel *Lu Rong Yuan Yu 668* – April/May 2020

Initial detection:

On April 28, 2020, the Argentine Coast Guard, via the patrol vessel Prefecto Figue, detected the Chinese vessel *Lu Rong Yuan Yu 668* actively engaged in illegal fishing within the Argentine Exclusive Economic Zone (AEEZ), approximately 390 km off the coast of Puerto Madryn. The vessel was identified via radar, AIS, and visual observation: fishing lights were on and gear was deployed.

Deterrence and pursuit:

The deterrence protocol was activated, including radio communications in Spanish and English, as well as audible and visual signals. When the vessel refused to stop, a maritime pursuit was initiated under adverse weather conditions.

Escape and recapture:

The infringing vessel fled toward international waters. For safety reasons, the Coast Guard temporarily halted the operation, but the vessel voluntarily returned on May 13, docking at Puerto Madryn where it was escorted by Coast Guard units to anchorage.

Institutions involved:

- Argentine Coast Guard: Detected, pursued, and escorted the vessel.
- Undersecretariat of Fisheries and Aquaculture (Ministry of Agriculture, Livestock, and Fisheries): Conducted the administrative investigation under Federal Fisheries Law No. 24.922.
- Argentine Foreign Ministry (Cancillería): Coordinated communication with Chinese authorities.
- Federal Court of Rawson: Handled the judicial proceedings.

Sanctions applied:

An administrative investigation was initiated with a fine in accordance with Law 24.922. The vessel remains detained and is subject to judicial and administrative authority. A historic fine was imposed, including reimbursement of operational expenses incurred during the pursuit and monitoring, as part of a cost recovery mechanism.

This case exemplifies the effective coordination between electronic and physical surveillance, operational protocols, administrative and judicial actions, and international

cooperation—reinforcing Argentina’s firm commitment to combat illegal fishing in its maritime jurisdiction.

News Links: <https://www.argentina.gob.ar/noticias/prefectura-escolta-al-buque-infractor-chino-que-habia-sido-perseguido-dentro-de-la-zona>.

<https://www.infobae.com/economia/2020/05/14/pesca-ilegal-la-argentina-logro-detener-al-buque-chino-que-se-habia-fugado/>.

<https://www.argentina.gob.ar/noticias/argentina-logro-detener-al-buque-pesquero-chino-que-se-habia-fugado>.

4.5 Case: Fishing Vessel *Calvão* (Flag: Portugal) – May 2020

Initial detection:

The Argentine Coast Guard patrol vessel *GC-27 Prefecto Fique* detected the trawler *Calvão* engaged in illegal fishing within the Argentine Exclusive Economic Zone (AEEZ), approximately 199.75 nautical miles off the coast of San Antonio Oeste.

Interception protocol initiated:

The infringing vessel altered course toward international waters without ceasing its fishing activities. In response, the “Surface Unit Response Protocol” was activated, in accordance with UNCLOS, initiating pursuit.

Pursuit and boarding:

After approximately four hours of pursuit, the *Calvão* ceased fishing operations and stopped, allowing the Coast Guard’s Boarding Team to board the vessel.

Escort to port:

The vessel was escorted by *GC-27 Prefecto Fique*, with Coast Guard personnel on board, to the port of Bahía Blanca.

Institutional involvement:

- Argentine Coast Guard: Detected, pursued, boarded, and escorted the vessel.
- Federal Court of Viedma (Province of Río Negro): Took jurisdiction to initiate administrative and judicial proceedings for violations of Federal Fisheries Law No. 24.922 and for resistance to authority.

Procedures and sanctions:

- Administrative and judicial investigations were initiated for illegal fishing and resistance to authority.
- Fishing gear (trawl nets) was seized due to non-compliance with technical regulations—three bottom trawl nets were confiscated.
- A fine of ARS 45 million was imposed, in addition to the forfeiture of the catch, valued at USD 201,069.27 (approx. ARS 14.17 million at the time).
- The confiscated nets were donated to the National Institute for Fisheries Research and Development (INIDEP) for scientific research, following inspection.

News Links:

https://www.magyp.gob.ar/sitio/areas/pesca_maritima/?accion=noticia&id_info=200713195715

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<https://pescare.com.ar/arrastrero-portugues-calvao-podria-haber-incurrido-en-pesca-ilegal-dentro-del-mar-argentino/>

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4.6 Case: Chinese Fishing Vessel – March 2024

Initial detection:

An Argentine Navy corvette (*ARA Espora*) and the offshore patrol vessel (*ARA Cordero*) detected a Chinese-flagged fishing vessel operating at low speed with its AIS turned off, approximately 12 nautical miles inside the 200-nautical-mile boundary of the Argentine Exclusive Economic Zone (AEEZ) in the South Atlantic.

Pursuit and deterrence attempt:

The Navy issued radio calls, visual and acoustic signals. In response, the infringing vessel turned off its AIS, accelerated, and set a course to exit the area. After several hours of non-cooperative behavior by the fishing vessel, an on-board inspection was carried out by a Boarding and Inspection Team, verifying no evidence of recent fishing activity. Following the inspection, the vessel left the AEEZ and continued operations on the high seas.

Involved institutions:

- Argentine Navy: Led surveillance and pursuit.
- National Undersecretariat of Fisheries: Conducted the on-board visual inspection.
- Ministry of Defense (Luis Petri) and Joint Chiefs of Staff (Xavier Isaac): Supervised and endorsed the operation.

News Link:

<https://www.lanacion.com.ar/politica/la-armada-intercepto-y-abordo-un-barco-chino-que-pescaba-ilegalmente-nid27032024/>

4.7 Case: XinRun 579 Vessel (Flag of Convenience: Vanuatu) – January 2025

Initial detection:

The Argentine Coast Guard System (Sistema Guardacostas) operated by the Argentine Naval Prefecture detected the XinRun 579 entering the AEEZ, moving at low speed (less than 6 knots), which is indicative of possible fishing activity.

Operational intervention:

The GC-25 *Azopardo* Coast Guard vessel patrolled the area, notified the ship via radio communications in accordance with established protocol, and administrative proceedings were initiated under Law No. 24.922 (Federal Fisheries Regime).

Involved institutions:

- Argentine Naval Prefecture: Detected and notified the suspected infraction.
- Directorate of Maritime, River and Lake Traffic (Operations Center at Coast Guard Building): Operated the Coast Guard System.
- Undersecretariat of Fisheries and Aquaculture: In charge of conducting the administrative summary.

Procedure and sanction:

An administrative summary was initiated in absentia, using electronic documentation as valid evidence. The owning company, through legal representation in Buenos Aires, accepted responsibility for the infraction and paid the fine along with operational costs (patrolling and electronic monitoring). This case marked a milestone: the first fine applied to a foreign vessel detected electronically without the need for physical boarding.

Outcome and precedents:

This operation enabled the sanctioning of the *XinRun 579* through a technological-administrative scheme, without direct physical intervention, consolidating innovative and

efficient practices in the fight against illegal fishing within the Argentine Exclusive Economic Zone.

News Links:

<https://pescare.com.ar/prefectura-naval-argentina-detecta-pesquero-extranjero-en-operaciones-de-pesca-ilegal-en-aguas-argentinas/>.

<https://www.launion.digital/policiales/prefectura-identifico-buque-extranjero-realizando-pesca-ilegal-zona-economica-exclusiva-argentina-n202808>.

<https://www.infobae.com/sociedad/2025/01/07/prefectura-detecto-a-un-buque-extranjero-navegando-en-la-zona-economica-exclusiva-argentina-sin-autorizacion/>.

5. ROLE OF THE MINISTRY OF FOREIGN AFFAIRS IN THE ENFORCEMENT OF SANCTIONS

The Argentine Ministry of Foreign Affairs (Cancillería) plays a strategic and essential role in sanctioning foreign vessels that violate national fisheries regulations:

Formal Diplomatic Notification

Following the detection—and, where applicable, detention or initiation of administrative proceedings—Cancillería officially notifies the flag State of the infringing vessel. This involves sending, through diplomatic channels, all relevant information about the enforcement operation and the sanctions being applied. This process is in line with the reform of the Federal Fisheries Regime and the delimitation of the outer limit of the Argentine Continental Shelf, the result of over two decades of uninterrupted work by the Commission on the Outer Limit of the Continental Shelf (COPLA), which operates under the authority of the Argentine Ministry of Foreign Affairs.

Coordination with Other States and International Organizations

The Ministry coordinates with entities such as embassies, foreign maritime authorities, and regional organizations (RFMOs), as appropriate, to ensure that sanctions are recognized and enforced. This mechanism enables the removal of infringing vessels and facilitates procedures in other countries without the use of force.

Monitoring of Legal Proceedings

The Foreign Ministry actively monitors the progress of investigations and sanctions. It ensures that administrative proceedings are carried out in accordance with the law (Law No. 24.922 and its amendments), that vessels or cargo are retained when warranted, and that applicable financial penalties are effectively collected, including fines exceeding 150 million pesos, operational costs, and confiscated assets.

Cancillería serves as the indispensable diplomatic link that transforms operational actions (such as detention, fines, or confiscation) into enforceable sanctions. It guarantees international recognition, fosters inter-state cooperation, and ensures that the sanctions are followed through to the final stage of the legal process.

6. LIST OF CAPTURED VESSELS

Since 1985, the Argentine Coast Guard (Prefectura Naval Argentina) has captured **80 foreign fishing vessels** for operating illegally within the Argentine Exclusive Economic Zone (EEZ). Below is the complete list:



Nº	BUQUE NOMBRE Y BANDERA	BANDERA	APREHENSOR	FECHA DE CAPTURA
1	LAURA ADRIANA	URUGUAY	GC-24 MANTILLA	20/11/1985
2	LIKOSAR	POLONIA	GC-28 PREFECTO DERBES	17/03/1986
3	OTORI MARU	JAPÓN	GC-25 AZOPARDO	03/05/1986
4	SEJNO	POLONIA	GC-26 THOMPSON	17/05/1986
5	CHIANNNDER N 3	TAIWAN	GC-28 PREFECTO DERBES	28/05/1986
6	VIXIADOR	ESPAÑOL	GC-27 PREFECTO FIQUE	11/08/1986
7	SHOICI MARU N87	JAPÓN	GC-24 MANTILLA	13/02/1987
8	MARUNAKA MARU N 68	JAPÓN	GC-28 PREFECTO DERBES	24/03/1987
9	MAR CARIBE I	PANAMÁ	GC-24 MANTILLA	02/08/1987
10	SEYANG 51	COREA DEL SUR	GC-28 PREFECTO DERBES	05/01/1988
11	KANESHIGE MARU 25	JAPÓN	GC-28 PREFECTO DERBES	12/01/1988
12	RIO SOLIS	URUGUAY	GC-24 MANTILLA	11/02/1988
13	YUNG SHING	TAIWAN	GC-28 PREFECTO DERBES	10/01/1988
14	YUNG YI N 21	TAIWAN	GC-24 MANTILLA	12/02/1988
15	SIN NAM* N°201	VENEZUELA	GC-27 PREFECTO FIQUE	07/02/1988
16	ASTRA V	URUGUAY	GC-24 MANTILLA	03/03/1988
17	SHUN CHENG 66	TAIWAN	GC-28 PREFECTO DERBES	16/03/1988
18	JIN HWEI	TAIWAN	GC-28 PREFECTO DERBES	29/03/1988
19	CHEOG YANG 31	COREA DEL SUR	GC-26 THOMPSON	28/04/1988
20	ZEMPO MARU 51	JAPÓN	GC-27 PREFECTO FIQUE	17/05/1988
21	ESTEIRO	ESPAÑOL	GC-26 THOMPSON	20/02/1989
22	CHEOG CHANG 501	COREA DEL SUR	GC-24 MANTILLA	02/03/1989
23	LUDWIG TURECK	ALEMANIA	GC-25 AZOPARDO	22/04/1989
24	FARO DE HERCULES	ESPAÑOL	GC-24 MANTILLA	09/08/1989
25	RYOEI MARU 68	JAPÓN	GC-24 MANTILLA	24/04/1990
26	DAITO MARU 18	JAPON	GC-24 MANTILLA	22/04/1990
27	LEON MARCOS 7	ESPAÑOL	GC-24 MANTILLA	14/05/1990
28	107 KWAN YANG	COREA DEL SUR	GC-24 MANTILLA	22/02/1991
29	LONG WEI N 866	TAIWAN	GC-28 PREFECTO DERBES	15/03/1991
30	PUK YANG N 7	PANAMÁ	GC-24 MANTILLA	23/04/1991
31	CABO MAYOR	ESPAÑOL	GC-27 PREFECTO FIQUE	23/05/1991
32	CODESIDE	ESPAÑOL	GC-24 MANTILLA	17/08/1991
33	PICT	BRITANICA	GC-25 AZOPARDO	05/07/1991
34	SERGEY KADANCHIK	RUSIA	GC-26 THOMPSON	28/02/1992
35	PUENTE LADEIRA	ESPAÑOL	GC-27 PREFECTO FIQUE	09/03/1992
36	HER WEN 1	TAIWAN	GC-28 PREFECTO DERBES	18/05/1992
37	JAI WON 11	COREA DEL SUR	GC-24 MANTILLA	28/05/1992
38	DAE JIN 5	COREA DEL	GC-28 PREFECTO	30/05/1992

39	PUNTA BALLENAS	CHILE	GC PNA CANAL BEAGLE	14/12/1992
40	OREL	RUSIA	GC-28 PREFECTO DERBES	14/02/1993
41	DON WON 517	COREA DEL SUR	GC-26 THOMPSON	13/06/1993
42	ZURRY I	URUGUAY	GC-26 THOMPSON	08/10/1993
43	LAURA ADRIANA	URUGUAY	GC-27 PREFECTO FIQUE	17/10/1993
44	DOO YANG 535	COREA DEL SUR	GC-24 MANTILLA	09/05/1994
45	PETERO 601	COREA DEL SUR	GC-24 MANTILLA	08/05/1994
46	KHRONO METR	UCRANIA	GC-27 PREFECTO FIQUE	15/05/1994
47	HSIN HARNG N 7	TAIWAN	GC-27 PREFECTO FIQUE	15/04/1995
48	DESYATAYA PYATILETKA	UCRANIA	GC-28 PREFECTO DERBES	09/04/1996
49	ARPON	ESPAÑOL	GC-28 PREFECTO DERBES	13/05/1997
50	AURORA II	COREA DEL SUR	GC-26 THOMPSON	13/06/1998
51	KIN CHUAN HSING	TAIWAN	GC-28 PREFECTO DERBES	10/04/2000
52	STALKER	BELICE	GC-28 PREFECTO DERBES	08/07/2000
53	ZHOU DON YUAN 830	CHINA	GC-25 AZOPARDO	09/05/2001
54	RIO SOLIS	URUGUAY	GC-24 MANTILLA	26/02/2002
55	FU YUAN 3	CHINA	GC-27 PREFECTO FIQUE	04/01/2003
56	ESPERANZA	COREA	GC-24 MANTILLA	23/06/2003
57	KORAS 3	COREA	GC-26 THOMPSON	02/03/2004
58	YOUNG HWA 99	URUGUAY	GC-25 AZOPARDO	09/05/2004
59	CHIEH MAN N°1	TAIWAN	GC-28 PREFECTO DERBES	21/02/2005
60	JOSE ANTONIO NORES	ESPAÑA	GC-27 PREFECTO FIQUE	25/02/2005
61	ZHONG YUAN YU N°1	CHINA	GC-28 PREFECTO DERBES	02/03/2005
62	KORAS1	COREA	GC-25 AZOPARDO	12/05/2005
63	JHONN CHEEK	NO RECONOCIDA	GC-27 PREFECTO FIQUE	20/02/2006
64	YUAN FA N° 16	TAIWAN	GC-24 MANTILLA	2006
65	ZHONG YUAN YU N° 11	GHANA	GC-25 AZOPARDO	06/05/2007
66	315 SUN HAE/ORYON NRO 56	COREA	GC-24 MANTILLA	27/04/2010
67	LU RONG YU 6177	CHINA	GC-26 THOMPSON	24/12/2012
68	LU RONG YU 6178	CHINA	GC-26 THOMPSON	24/12/2012
69	FU YUAN YU 873	CHINA	GC-24 MANTILLA	16/06/2013
70	PISCATOR	ESPAÑA	GC-27 PREFECTO FIQUE	01/07/2013
71	HU SHUN YU 809	CHINA	GC-28 PREFECTO DERBES	06/04/2015
72	LU JIAO NAN YUAN YU 177 (178 pago)	CHINA	GC-28 PREFECTO DERBES	03/04/2015
73	HUA LI 8	CHINA	GC-26 THOMPSON	29/02/2016
74	LU YAN YUAN YU 010	CHINA	GC-28 PREFECTO DERBES	13/03/2016
75	PLAYA PESMAR UNO	ESPAÑA	GC-27 PREFECTO FIQUE	04/02/2018
76	JIN YUAN 626	CHINA	GC-24 MANTILLA	21/02/2018
77	OYANG N° 77	COREA DEL SUR	GC-24 "MANTILLA"	07/02/2019
78	HUA XIANG 801	CHINA	GC-24 MANTILLA	01/03/2019
79	LU RONG YUAN YU N 668	CHINA	GC-27 PREFECTO FIQUE	28/04/2020
80	CALVAO	PORTUGAL	GC-27 PREFECTO FIQUE	03/05/2020

7. CONCLUSIONS

The Argentine Republic has demonstrated a firm and sustained commitment in the fight against illegal fishing within its Argentine Exclusive Economic Zone (AEEZ). Through a solid regulatory framework—supported by the Federal Fisheries Law, the extension of the Continental Shelf, and international agreements—and through effective coordination between agencies such as the Argentine Coast Guard (Prefectura Naval Argentina), the Argentine Navy, the Undersecretariat for Fisheries, and the Ministry of Foreign Affairs, the country has consolidated a surveillance and sanctioning system that enables an effective response to unauthorized incursions.

In addition to operational surveillance, Argentina has incorporated technological tools and diplomatic mechanisms that enhance its control capacity beyond physical interdiction, allowing for remote sanctions and the monitoring of cases in foreign ports. This combination of efforts reflects not only an active defense of sovereignty over marine resources but also a commitment to environmental sustainability and responsible fisheries management.

These institutional advances are fundamental to supporting private sector initiatives, such as the Argentine Squid Fishery Improvement Project (FIP), which aims to enhance the environmental, social, and governance performance of fishing operations. Cooperation between the public and private sectors is key to advancing toward sustainability certification, improving traceability, preventing Illegal, Unreported and Unregulated (IUU) fishing, and strengthening the international reputation of Argentine squid.

In this context, the fight against illegal fishing is not only a matter of security or legality, but also a strategy to secure the future of marine ecosystems, protect the livelihoods of coastal communities, and ensure that national fishing remains a legitimate source of economic development and marine conservation.

8. SOURCES OF INFORMATION

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PNA System for Monitoring Fishing Activity – Maritime and River Fisheries, 2025, Link: <https://www.argentina.gob.ar/prefectura naval/resumen-operativo>

Inter-Ministerial Work for the Control of Illegal Fishing in the Argentine Exclusive Economic Zone, (n.d.), Link: <https://cancilleria.gob.ar/es/trabajo-interministerial-para-el-control-de-la-pesca-ilegal-en-la-zona-economica-exclusiva-argentina>