

BENEFICIAL OWNER CASE STUDY: SOPERKA

The Senegalese-registered company Soperka is involved in fishing and marketing of fishery products.¹ The company's fishing vessels have engaged in fishing operations in multiple EEZs as well as on the high seas.

The company has been the focus of recent public attention as three of its vessels – AMINE, KANBAL III and SOKONE – have participated in a controversial experimental deep water shrimp fishery in Liberia.² While this operation was licensed, and Liberian fisheries legislation does permit research fishing, this is subject to certain requirements which are important to prevent the activity from being used as a guise for commercial fishing. However, sources indicate that the Soperka fleet has not been subject to these requirements and that the operation has in fact been commercial in nature, with catches being offloaded not in Liberia but in in Dakar, Senegal and shipped to Spain^{3, 4}. This operation appears to no longer be taking place, with the last Soperka vessel departing Liberian waters in November 2022.

Soperka provides an example of a company that has been involved in high-risk fishing activities which is beneficially owned in a major distant water fishing nation, but where it is challenging to verify ownership due to lack of UBO transparency in the local company registry, and a lack of monitoring and oversight of nationals' links to foreign-flagged vessels in the beneficial owner country.

The fleet

Soperka is the registered owner of multiple fishing vessels active in West Africa, however available information sources report differences in the number and type of vessels the company owns^{5, 6}. According to SeaWeb there are six vessels that the company owns: AMINE, BOROM DARADJI, KANBAL II, KANBAL III, LAGHEM I and SOKONE, all of which are in service. Analysis of various sources of information, including photographs of the vessels and their patterns of operation, indicate that these vessels are all configured as trawlers. Some sources also reference a longliner named EL AMINE – it is unclear whether this is another vessel or an alternative spelling of AMINE⁷.

¹ <http://www.soperka.com/our-activities>

² <https://www.cffacape.org/publications-blog/experimental-fishing-or-experimental-pillaging-in-liberia>

³ <https://frontpageafricaonline.com/news/attempt-to-tap-into-dormant-highly-profitable-shrimp-catches-from-deep-sea-brings-liberia-under-questioning-for-reportedly-breaching-own-laws/>

⁴ <https://www.cffacape.org/publications-blog/senegal-and-liberia-will-conduct-joint-fisheries-research-to-evaluate-liberia-fisheries-viability-for-liberia-carabineros-this-may-come-too-late>

⁵ https://seafood.media/fis/companies/details.asp?l=e&filterby=companies&=&country_id=&page=1&company_id=168688

⁶ <https://www.armadorapereira.com/empresa/nuestra-flota>

⁷ This vessel appears on the ICCAT inactive vessel list, with a different callsign and registration number to the AMINE, suggesting that it may be a different vessel; however no sources were identified that refer to both the AMINE and EL AMINE, suggesting that if this is the case, EL AMINE may no longer be active -https://www.iccat.int/export/vess/944054205_inactive.xls



KANBAL III – source: <https://www.armadorapereira.com/en/empresa/nuestra-flota>

On AIS, AMINE is transmitting the IMO number of SOKONE, another vessel in the fleet which Soperka does not mention on their website, and which is not included on the company's profile on the Fish Information and Services directory (FIS). Photographs of SOKONE show it displaying the IMO number assigned to AMINE. SeaWeb indicates that each is a separate vessel, which AIS analysis supports. Publicly available images of the AMINE and SOKONE are included on the website of the Spanish company Armadora Pereira with photographs that further indicate they are both trawlers.⁸

The BOROM DARADJI is included in the ICCAT record of authorised vessels as an auxiliary vessel which does not harvest fish⁹, however both images and various coastal State license lists indicate that it is in fact involved in fish catching operations.¹⁰ The current location of this vessel is unknown, however it was confirmed to be in Dakar port in May 2022. The last time the vessel was detected on AIS was the previous year in May 2021 in Dakar port. The vessel's activities remain unknown during this 12-month period as well as since May 2022.

At least two of Soperka's vessels have been implicated in possible fisheries violations in West Africa. BOROM DARADJI and KANBAL III were both sighted fishing by the NGO Greenpeace during 2014 - BOROM DARADJI in the waters of Guinea Bissau and KANBAL III in Guinea - despite not appearing on the official list of authorised vessels for these countries¹¹. In 2017, KANBAL III was inspected by Senegalese authorities operating on a ship-rider patrol supported by Greenpeace, and was found to have used methods to constrict the mesh size of their nets, resulting in net mesh below the minimum size threshold. On this occasion, the vessel reportedly evaded boarding for approximately twenty minutes, during which time crew had attempted to reverse the gear modification; the vessel was however eventually released without charge due to lack of evidence¹².

⁸ <https://www.armadorapereira.com/empresa/nuestra-flota>

⁹ <https://iccat.int/en/VesselsRecord.asp>

¹⁰ TMT partner country information sources.

¹¹ https://issuu.com/gpchina/docs/esperanza_west_africa_expedition_20/10

¹² https://www.greenpeace.org/static/planet4-africa-stateless/2018/10/154ab281-154ab281-the.cost_of_ocean_destruction.pdf

Ownership

On FIS, Soperka is recorded as a subsidiary of Spanish company Grupo Pereira. However, it is unclear if Grupo Pereira is in fact a company, or if it is a group of companies that are somehow associated. Armadora Pereira, a Spanish registered company listed on the Grupo Pereira website, states that it has established joint ventures with local partners in countries that they operate in or from. News media reports from Vigo-based outlets in Spain also report that Armadora Pereira has subsidiaries in multiple countries including Senegal.¹³

Armadora Pereira lists a fleet of 18 fishing vessels on their website, including the six vessels owned by Soperka.¹⁴ In SeaWeb records however, Armadora Pereira is not listed as an owner, operator, or manager of any vessels, indicating that the ownership of the vessels is actually through companies which Armadora Pereira has a stake in. On its website, Soperka (which was previously named Kanbal Peche until new shareholders bought into the company in 2006) indicates that its ownership is Senegalese and Spanish.¹⁵ It is assumed that Armadora Pereira is the Spanish shareholder in Soperka however it is unclear if Soperka is a joint venture vehicle or a subsidiary.

While the exact structure of the relationship between Armadora Pereira (and its ultimate beneficial owners) and Soperka is unclear, what is clear is that there are beneficiaries in Spain from the activities of the vessels owned by the Senegalese company Soperka. The lack of clarity is another example of the need for increased controls and transparency on ownership of fishing vessels, in particular increased oversight by flag States and those 'beneficial ownership' States whose nationals ultimately own and benefit from fishing operations. Additionally, this example raises questions as to the culpability of the individuals and companies in Spain for any violations by vessels owned by Soperka.

¹³ <https://www.vigoempresa.com/jose-pereira-alvarezfundador-de-armadora-pereira/>

¹⁴ <https://www.armadorapereira.com/empresa/historia>

¹⁵ <http://www.soperka.com/>