



Detained in Peru

R/V *FALKOR (too)* a case study

FKt240706

35 day scientific cruise to Nazca Dorsal National Reserve, Peru



Peruvian Sea Institute

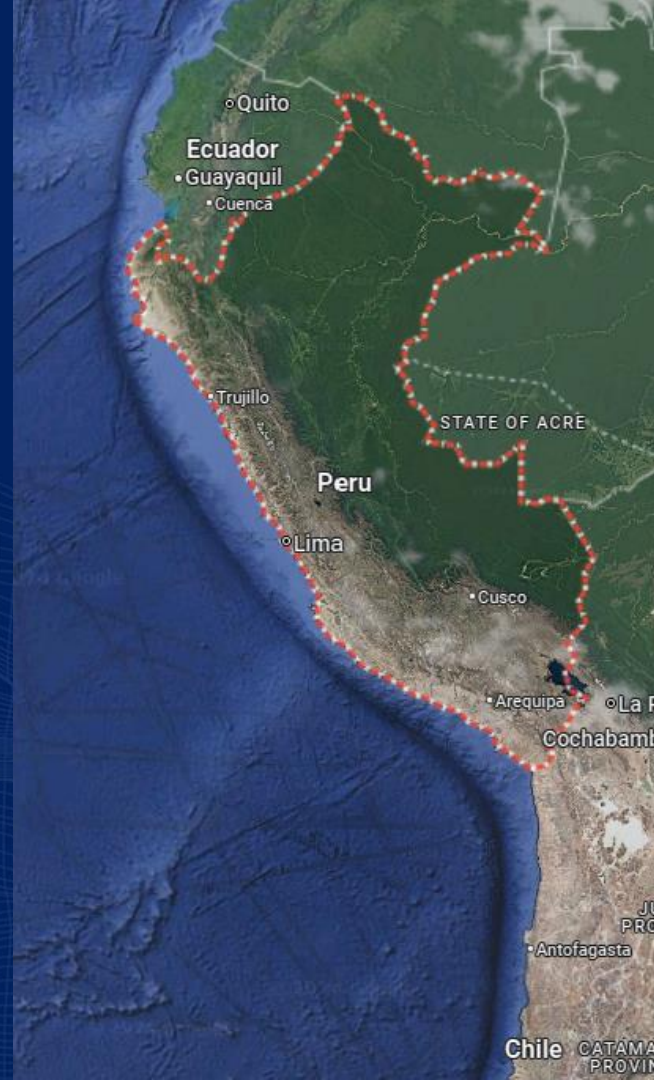
We are a specialized technical body of the Ministry of Production, whose functions are oriented towards the generation of scientific knowledge that allows the Peruvian State to have scientific, truthful and timely advice for the sustainable use of the living resources of the sea...

OCEANOGRAPHIC RESEARCH AND CLIMATE CHANGE DIRECTORATE


The Directorate of Oceanographic Research and Climate Change (DGIOCC) is the body responsible for IMARPE for developing scientific research into the oceanographic, physical, chemical, biological and geological processes and conditions of the Peruvian sea within the framework of climate variability, as well as studies of the impact of climate change on marine and marine-coastal ecosystems.



Research Area



Navigation Permit - **denied** by Peruvian Coast Guard

	PERÚ Ministerio de Defensa	Marina de Guerra del Perú	Dirección General de Capitanías y Guardacostas Autoridad Marítima Nacional
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"DECENIO DE LA IGUALDAD DE OPORTUNIDADES PARA MUJERES Y HOMBRES"
"AÑO DEL BICENTENARIO, DE LA CONSOLIDACIÓN DE NUESTRA INDEPENDENCIA, Y DE LA CONMEMORACIÓN DE LAS HEROICAS BATALLAS DE JUNÍN Y AYACUCHO"

Calleo, 13 JUN. 2024

Oficio N° 2896 /21

Señor
Augusto GANOZA Heredia
Gerente de Agenciamiento, Documentación y Proyectos de Infraestructura Marítima de la AGENCIAS UNIVERSALES PERÚ S.A.
Av. Néstor Gambetta 5502
CALLAO, -


Asunto: Permiso de Navegación de la nave "FALKOR TOO"

Tengo el agrado de dirigirme a Ud., para saludarlo cordialmente y a la vez referirme al Trámite Administrativo N° 00002094-21-2024 de fecha 13 de marzo del 2024, mediante el cual solicita el otorgamiento del Permiso de Navegación para la nave "FALKOR TOO", con número de OMI 9523376, de bandera CAYMAN ISLANDS, con la finalidad de efectuar investigación científica y tecnológica en la costa del litoral peruano.

Al respecto, hago de su conocimiento que conformidad con lo establecido en el artículo 45 del Reglamento del Decreto Legislativo N° 1147, aprobado mediante Decreto Supremo N° 015-2014 de fecha 26 de noviembre del 2014, su solicitud resulta improcedente.

Hago propicia la ocasión para reiterarle los sentimientos de mi especial consideración y deferente estima.

Atentamente,
Vicealmirante
Rodolfo SABLICH Lung Yici
Dirección General de Capitanías y Guardacostas
Autoridad Marítima Nacional



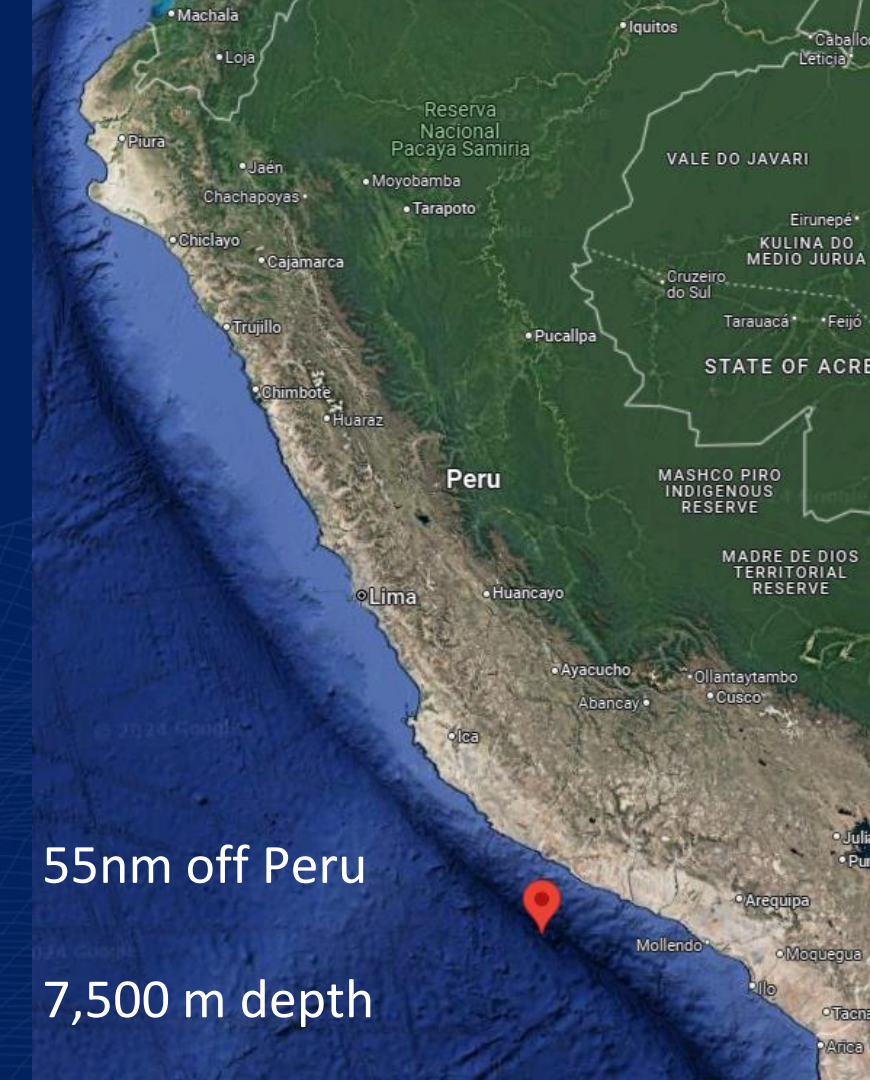
“...the execution of the scientific research may pose a risk to national security...”

Artículo 45.- Investigación científica y tecnológica que presente riesgos a la seguridad nacional

Cuando la Dirección General considere que la ejecución de los trabajos de investigación científica pueda ofrecer riesgos a la seguridad nacional, eleva la solicitud de permiso de navegación en consulta al Ministerio de Defensa.

Permits required to conduct oceanographic research and collect samples in Peruvian waters -

1. *Ministry of Transport Directorial Resolution permit* - issued
2. *DICAMPI Navigation Permit* - **denied**
3. *Sampling/biological Permit* - the Peruvian Chief Principal Investigator trying to obtain the sampling/biological permit.



55nm off Peru

7,500 m depth



From: [REDACTED]

Sent: Tuesday, June 18, 2024 11:03 AM

To: AUGUSTO GANOZA <augusto.ganoza@agunsa.com>; _AGENCY PERU <agency.peru@agunsa.com>

Cc: Comoperguard Secretary <comoperguardsecre@dicapi.mil.pe>; SIMTRAC <simtrac@dicapi.mil.pe>; ifcperulatioamerica <ifcperulatioamerica@dicapi.mil.pe>;
Comoperguard Water Police <operacuatica@dicapi.mil.pe>

Subject: FALKOR TOO

Dear Commander (R) Augusto Ganoza.

Good morning, in relation to the agency that your prestigious company has been providing to the scientific vessel FALKOR TOO with IMO number 9523378 of Cayman Islands flag, we respectfully request that you indicate whether the vessel presents or has reported any defect, novelty, accident, since it is verified at through our various electronic platforms that has been making unusual movements during its navigation and that its speeds are varying between 9 and 0.4 knots.

Sincerely,

[REDACTED]

Chief of Operations of the

Coast Guard Operations Command

On Tue, Jun 18, 2024, 12:26 Comoperguard Policia Acuatica <operacuatica@dicapi.mil.pe>
wrote:

GOOD AFTERNOON

OPERATIONS SECTION OF THE COAST GUARD OPERATIONS COMMAND
OF THE GENERAL DIRECTORATE OF CAPITAINS AND COAST GUARDS OF
PERU, HEREBY REQUESTS YOU TO INDICATE, BY THE FASTEST MEANS,
THE REASON WHY THE SPEED, MOVEMENTS AND INTENTIONS OF THE
SHIP FALKOR TOO HAS VARIED .

Tue, Jun 18, 2024, 12:56 comoperguard simtrac <simtrac2011@gmail.com> wrote:

Good afternoon Captain of the ship FALKOR TOO,

We are writing to you from the Aquatic Traffic Information and Monitoring System (SIMTRAC) of the Peruvian Navy, we have verified unusual movements by your ship since June 18, 2024, at 0948 hours UTC.

We need to know if there is any damage to the ship that is generating the aforementioned unusual movements and loss of speed. You are reminded that you do not have the corresponding Navigation Permit from the National Maritime Authority of Peru; For this reason, they must increase their speed and head towards the Port of Callao.

Lieutenant Commander

Head of the Water Traffic Information and Monitoring System



Peruvian Coast Guard and Harbor Master
Callao Coastal Station
OBC-3

Good afternoon, the maritime authority of Peru is requested to inform you why you have reduced the speed of your vessel. You are also required to submit your satellite phone number, confirm current position.

Atte.

Callao Coastal Operator
Iridium Phone 00881632657319

CALLAO COAST STATION

Captain Philipp Guenther,

Good afternoon, in relation to your response, you cannot carry out any maintenance work during your navigation without having previously officially communicated them, which is why you must go directly to your destination port carrying out direct navigation without interruptions, with a constant speed.

We also ask you to avoid sailing on the Nazca Ridge. I remind you that we are permanently monitoring all the activities carried out in our Maritime Domain. We also remind you that while you are in our Maritime Domain you are subject to the rules and regulations of the Peruvian State.

Atte.

Commander
Coast Guard Operations Command

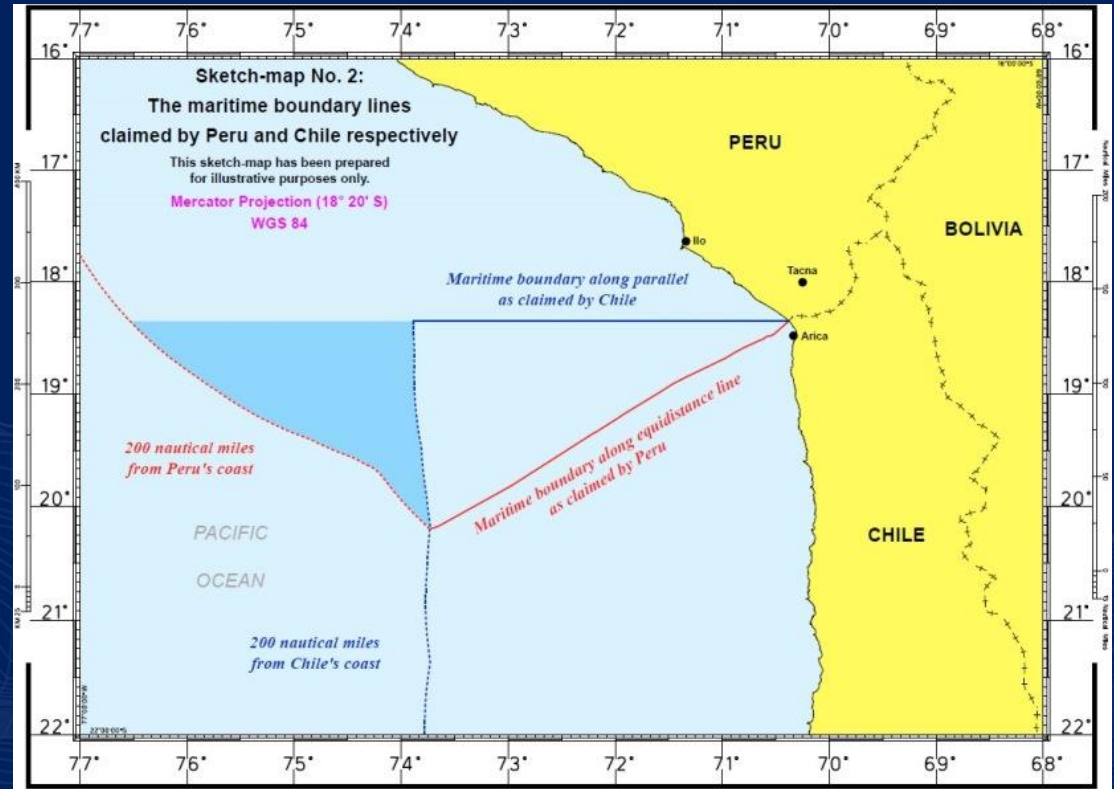
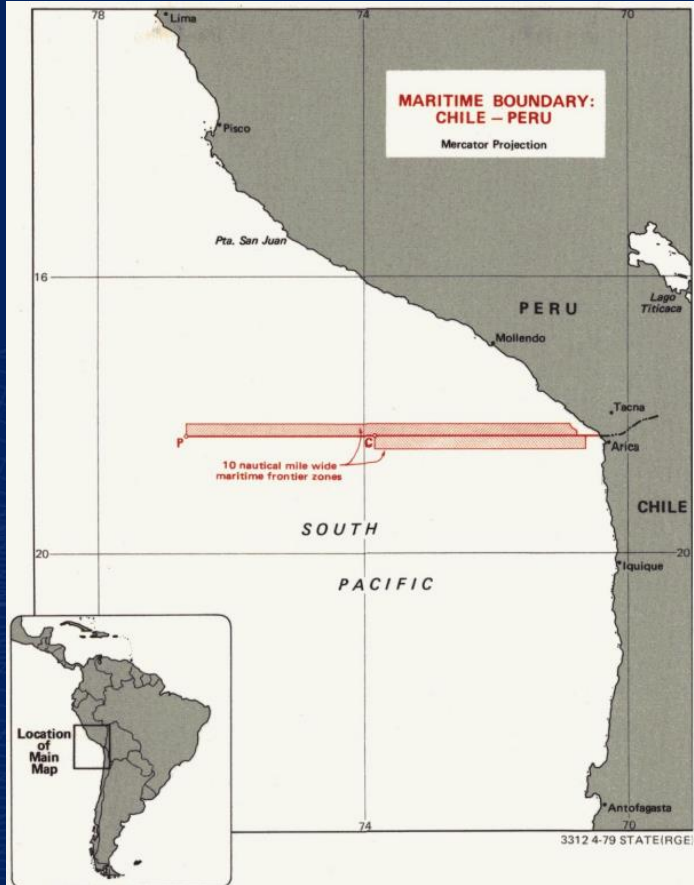
Good afternoon Captain of the ship FALKOR TOO,

In compliance with Supreme Decree No. 015-2014-DE, which approves the regulations of Legislative Decree No. 1147, which Regulates the Strengthening of the Armed Forces in the Competencies of the National Maritime Authority - General Directorate of Captaincies and Coast Guard, establishes in its Article 32.2: ships that navigate in Peruvian jurisdictional waters in demand of a national port and those that carry out coastal navigation must observe the course and speed contemplated in their navigation plan, being able to vary them, stop or anchor in the event of a normal navigation incident or when assistance is provided to persons, ships or aircraft in danger. ***For this reason, this National Maritime Authority recommends carrying out said maintenance outside the maritime domain.***

Lieutenant Commander

Head of the Water Traffic Information and Monitoring System

Year 1952+




Peru and Chile, a complex maritime history.

Callao, Peru - departure **denied**, cruise **cancelled**

- Port State Control boarding
- Ship's crew questioned
- Records and logs reviewed
- Computer servers searched
- Captain summoned
- Captain's travel restricted
- Lawyers (US and Peru) hired
- Underwriters engaged
- Letter of Undertaking issued
- Interpreters required
- Peruvian Consulate, Director General of Sovereignty, ex-Admiral and ex-Captain intervention attempted
- Penalty paid





Farewell Callao 13 July 2024 anchors aweigh
...no explanation, we may never know.

