

**Report of the**

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**SECOND GLOBAL FISHERIES ENFORCEMENT TRAINING  
WORKSHOP**

**Trondheim, Norway, 7–11 August 2008**



DIRECTORATE OF FISHERIES



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## **PREPARATION OF THE DOCUMENT**

This document contains the report of the second Global Fisheries Enforcement Training Workshop (GFETW) which was held in Trondheim, Norway from 7 to 11 August 2008.

The workshop was hosted by the Directorate of Fisheries, Government of Norway, and organized by the International Monitoring, Control and Surveillance (MCS) Network. The GFETW was co-sponsored by the Food and Agriculture Organization of the United Nations (FAO), the National Oceanic and Atmospheric Administration of the United States of America (NOAA) and the Nor-Fishing Foundation, and supported by the Australian Agency for International Development (AusAID), the United Kingdom's Department for International Development (DFID), the Indian Ocean Commission (IOC), the Forum Fisheries Agency (FFA), the Norwegian Ministry of Foreign Affairs, the City of Trondheim, the Norwegian Pelagic Sales Association and the Norges Råfisklag.

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### **ABSTRACT**

The document contains the report of the second Global Fisheries Enforcement Training Workshop (GFETW) which was held in Trondheim, Norway from 7 to 11 August 2008.

The first GFETW was convened in Kuala Lumpur, Malaysia, in 2005, and was highly successful in bringing together a global community of fisheries monitoring, control and surveillance (MCS) professionals to share information and experiences and to receive training on a broad array of MCS topics. Due to the success of that initial workshop, this second GFETW was arranged to further tackle the illegal, unreported and unregulated (IUU) fishing problem, with the nearly 200 practitioners at the GFETW discussing pragmatic solutions for eliminating IUU fishing, using actual situations covering a broad array of topics. These topics included case studies from many nations, applications of sophisticated technologies and ingeniously simple low tech approaches, the role of transshipment, port State measures, legal support, organized crime, corruption and more.

Recognizing the shared nature of problems in this field, the participants agreed to employ cooperative approaches and seek best practices in addressing IUU fishing activities. Their conclusions are embodied in the 2008 Trondheim Declaration. A future workshop was announced for 2010 in Mozambique.

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## Abbreviations/acronyms

<b>AFMA</b>	Australian Fisheries Management Authority
<b>AIPCE EU</b>	Fish Processors and Traders Association
<b>CARICOM</b>	Caribbean Community and Common Market
<b>CCAMLR</b>	Commission for the Conservation of Antarctic Marine Living Resources
<b>CCRF</b>	Code of Conduct for Responsible Fisheries
<b>CCRVMA</b>	Convención sobre la Conservación de los Recursos Vivos Marinos Antárticos
<b>CDS</b>	Catch Documentation Scheme
<b>CFEA</b>	China Fisheries Enforcement Authority
<b>CITES</b>	Convention on International Trade in Endangered Species of Wild Flora and Fauna
<b>COFI</b>	Committee on Fisheries (FAO)
<b>CONVEMAR</b>	Convención de las Naciones Unidas sobre el Derecho del Mar
<b>CP</b>	Contracting Party
<b>CSRP</b>	Commission sous-régionale des pêches
<b>DFID</b>	Department for International Development (UK)
<b>EC</b>	European Commission
<b>EEZ</b>	Exclusive economic zone
<b>EU</b>	European Union
<b>FFA</b>	Pacific Islands Forum Fisheries Agency
<b>FMC</b>	Fisheries Monitoring Centre
<b>FOC</b>	Flag of Convenience/Non-compliance
<b>GFETW</b>	Global Fisheries Enforcement Training Workshop (first Kuala Lumpur, 2005, second Trondheim, 2008)
<b>GPS</b>	Global Positioning System
<b>ICCAT</b>	International Convention for the Conservation of Atlantic Tunas
<b>HSTF</b>	High Seas Task Force
<b>IMO</b>	International Maritime Organization
<b>IOC</b>	Indian Ocean Commission
<b>IOTC</b>	Indian Ocean Tuna Commission
<b>INCOPESCA</b>	Instituto Costarricense de Pesca e Acuicultura/Costa Rica Institute for Fish and Aquaculture
<b>INFOFISH</b>	Intergovernmental Organization for Marketing Information and Technical Advisory Services for Fishery Products in the Asia Pacific Region
<b>IPOA</b>	International Plan of Action
<b>IRCS</b>	International Telecommunication Union Radio Call Sign
<b>ISPS Code</b>	International Ship and Port Facility Security Code
<b>IUU fishing</b>	Illegal, unreported and unregulated fishing
<b>LCDR</b>	Lieutenant Commander
<b>MCS</b>	Monitoring, control and surveillance
<b>MCS Network</b>	International Monitoring, Control and Surveillance Network
<b>MRAG</b>	Marine Resources and Fisheries Consultants
<b>NAFO</b>	North Atlantic Fisheries Organization/Organización de Pesquerías del Atlántico Noroeste
<b>NCP</b>	Non-Contracting Party
<b>NEAFC</b>	North East Atlantic Fisheries Commission
<b>NFDS</b>	International Fisheries and Maritimes Development Consultancy
<b>NOAA</b>	National Oceanic and Atmospheric Administration
<b>NPOA</b>	National Plan of Action
<b>RFB</b>	Regional fishery body

<b>RFMO</b>	Regional fisheries management organization
<b>SADC</b>	Southern African Development Community
<b>SAR</b>	Synthetic Aperture Radar
<b>SFPA</b>	Scottish Fisheries Protection Agency
<b>SFNA</b>	National Fisheries and Aquaculture Surveillance Service
<b>SICA</b>	Sistema de Integración Centroamericana (SICA).
<b>SOLAS</b>	International Convention for the Safety of Life at Sea
<b>SWIO</b>	Southwest Indian Ocean
<b>SWIOC</b>	South-West Indian Ocean Fisheries Commission
<b>TAC</b>	Total allowable catch
<b>UNCLOS</b>	United Nations Convention on the Law of the Sea
<b>UNFSA</b>	United Nations Fish Stocks Agreement
<b>US</b>	United States of America
<b>USA</b>	United States of America
<b>VDR</b>	Vessel data recorder
<b>VDS</b>	Vessel detection system
<b>VHF</b>	Very high frequency
<b>VMS</b>	Vessel monitoring system
<b>WCPFC</b>	Western and Central Pacific Fisheries Commission
<b>WWF</b>	World Wide Fund for Nature



## **INTRODUCTION**

1. This document is the report on the Second Global Fisheries Enforcement Training Workshop (GFETW), which was held in Trondheim, Norway from 7 to 11 August 2008. The workshop was hosted by the Directorate of Fisheries, Government of Norway, and organized by the International Monitoring, Control and Surveillance Network (IMCS Network). The GFETW was co-sponsored by the Food and Agriculture Organization of the United Nations (FAO), the National Oceanic and Atmospheric Administration of the United States of America (NOAA) and the Nor-Fishing Foundation, and supported by the Australian Agency for International Development (AusAID), the United Kingdom Department for International Development (DFID), the Indian Ocean Commission (IOC), the Forum Fisheries Agency (FFA), the Norwegian Ministry of Foreign Affairs, the City of Trondheim, the Norwegian Pelagic Sales Association and the Norges Råfisklag.

2. The GFETW was the result of the efforts of many individuals and organizations but the lead in planning and organizing was taken by the International Steering Committee (ISC), a group of individuals from all regions of the globe, who worked to make the Trondheim workshop a reality. A hearty thank you is offered for their work.

### **Workshop background**

3. Illegal, unreported and unregulated fishing and related activities (IUU) are a major global problem. These activities have adverse biological, environmental, social and economic effects.

4. IUU activities are a primary obstacle to achieving sustainable fisheries, are a threat to food security and directly compromise the livelihoods of many. Combating IUU has remained a priority of the international community for a number of years, resulting in a number of initiatives by international organizations, governments, non-governmental organizations (NGOs), civil society, and others. While there has been some progress, IUU related problems are complex in nature, and have not been resolved. More work is needed and MCS work remains a key element in the struggle to control IUU activities.

5. The first GFETW was convened in Kuala Lumpur, Malaysia, in 2005 (FAO/FishCode Review No. 18), and by all accounts was highly successful in bringing together a global community of fisheries MCS professionals to share information and experiences and to receive training on a broad array of MCS topics. Due to the success of that initial workshop, this second GFETW was arranged to further the work of the global community of operational MCS specialists to learn about the latest, most effective and innovative tools and methods being used to detect IUU activities and to apprehend those who engage in these practices.

6. These illegal activities are often characterized as economic crimes. They take place both on the high seas and within national zones and, due to globalization in the marketplace, no region or area is immune from these problems or their harmful effects. Regardless of location and resources dedicated to MCS, countries share many common problems when confronting IUU activities.

7. IUU activities involve a spectrum of activities and are not confined to the act of fishing but include transport, sale, purchase, processing and other aspects in the supply and distribution chain. The amount of IUU activity which occurs and the values attributable to IUU activities are difficult to quantify due to the covert nature of IUU operations, but have recently been estimated to range from USD 10 to USD 23.5 billion.

## **Workshop objectives**

8. The main objectives of the workshop were to enable the participants to:
- build contacts with their counterparts and other MCS specialists across the world;
  - learn about the most effective approaches being taken to fighting IUU activities;
  - be exposed to new ways of thinking when approaching the problems caused by IUU; and
  - form relations to locate resources to detect or resolve IUU incidents.

## **Participation and agenda**

9. The workshop was a five day event. This provided ample time to present all the topics on the agenda including questions, discussion and comments following the presentations. Informal networking during the breaks between sessions also encouraged the continuation of sharing ideas. The agenda consisted of 11 sessions plus an opening session and a concluding session for the adoption of a workshop declaration. The social events enhanced networking opportunities. Each session followed an identified theme.

10. The GFETW agenda is shown as Appendix A and the list of Workshop participants is shown as Appendix B.

11. The GFETW was attended by a total of 173 participants representing 54 countries, including approximately 30 developing countries, and more than 15 international/intergovernmental organizations, NGOs, academic institutions and other affiliations. Fifty participants contributed presentations or served as facilitators. Simultaneous interpretation was provided in English, Spanish and French.

12. Copies of the PowerPoint presentations given by the speakers have been posted on the IMCS Network's web site [www.imcsnet.org](http://www.imcsnet.org) and are provided on a CD-ROM which is included with this report.

## **OPENING SESSION**

13. Ms Ivone Lichucha, Director, National Directorate of Fisheries Administration, Ministry of Fisheries, Mozambique, served as the general moderator of the day and opened the workshop on the morning of 7 August 2008, welcoming everyone to the workshop after long journeys. She said all would leave the workshop with new ideas to combat IUU as a result of the information presented and the contacts which would be made among the participants. Ms Lichucha urged everyone to implement MCS activities to achieve sustainable fisheries. The facilitator of the opening session, Mr Alejandro Covarrubias, the MCS Network Executive Secretary from Chile, was introduced.

14. Mr Covarrubias added his welcome to all the workshop participants and introduced the opening cultural performance.

15. Mr Dale Jones, Director, National Marine Fisheries Service, Office of Law Enforcement, NOAA, Chair of the IMCS Network, welcomed all the participants on behalf of the IMCS Network and thanked many, including the organizers for all of their hard work, Norway, for serving as host to the workshop, and all the presenters and facilitators for their contributions. The participants were encouraged to use the time during the workshop to network with colleagues and to learn as much as possible from their experiences.

16. A brief history of the IMCS Network's founding was given, with special recognition to Mr Covarrubias, who originally had the idea of creating such a network. The Network was designed to facilitate global collaboration and cooperation among MCS professionals and to curtail IUU activities as much as possible.

17. Mr Peter Gullestad, Director General of the Norwegian Directorate of Fisheries, provided a welcome to Norway and the historic city of Trondheim. He also thanked the ISC for all of their work over the past year and for putting together an impressive programme. His opening speech is shown as Appendix C.

18. Mr Gullestad stressed that IUU fishing is one of the greatest threats to sustainable fishing and that these illegal activities are not only carried out by obscure vessels under flags of non compliance but also occur much closer to home with national vessels. IUU fishing is therefore to be considered a local, regional, national and international problem. He reminded all that much can be done to combat IUU activities at both a local and national level.

19. Mr Jean-François Pulvenis de Séligny, Director, Economics and Policy Division, Fisheries and Aquaculture Department, FAO, addressed the workshop saying he was honoured to be in Trondheim and associated with this event. He relayed the best wishes of the Director-General of the FAO, Jacques Diouf, and the Assistant Director-General of FAO's Fisheries and Aquaculture Department, Ichiro Nomura, for a successful workshop and highlighted its alignment with FAO's mandate of capacity building and training. He recalled the charge given at the 26<sup>th</sup> session of the Committee on Fisheries (COFI) in 2006 which called for action on a number of instruments. Mr Pulvenis emphasized the timeliness of this sort of training, as implementation of existing initiatives is what is needed now. He urged all of the practitioners from the many different fields to take advantage of the extraordinary opportunity this workshop presented.

20. Minister Helga Pedersen, the Norwegian Minister of Fisheries and Coastal Affairs, welcomed everyone and shared her hopes that the Trondheim workshop would be as successful as the first GFETW, which was held in 2005 in Kuala Lumpur, Malaysia. Her opening address is shown in Appendix D.

21. The Trondheim workshop was part of combating the transnational aspect of IUU activities. It reflected cooperation and sharing of information across national borders, as all have the same objective. The future should not be looted for the benefit of a few or risk the collapse of a stock with no assurance of recovery. IUU activities deny developing States the full opportunity to develop their fisheries and economies.

22. Minister Pedersen identified the main challenges while acknowledging that IUU is complex and there is no quick fix. Where flag States are concerned, their vessels must comply everywhere because they have a responsibility to control their vessels under the United Nations Convention on the Law of the Sea (UNCLOS), although it remains very easy to change flags even at sea. Coastal States must cooperate with others in international waters. Port States must verify the legality of catches offloaded in their territory. Market States and all who import fish and fish products must demand verification that the catch is harvested legally. She said we have not yet achieved success in solving IUU problems because IUU operators take advantage of loopholes and underlined that a global view of the problems is needed.

23. Minister Pedersen spoke of a success story with reducing IUU activity on cod in the Barents Sea where some IUU vessels were ultimately scrapped. However, she cautioned of the dangers of displacement of IUU activity to other locations when controls are tightened in one location. In this case, the concern was displacement of illegal activity to the Black Sea and to West Africa, which points to the need to cooperate with others to resolve the problem.

24. She further highlighted the great success the North East Atlantic Fisheries Commission has had with its programme of port State measures, which had the effect of closing ports to IUU fishing. She stressed the importance of establishing a united effort to combat IUU activities.

25. The group photo session followed and a copy of the photograph appears as Appendix E.

## **SETTING THE STAGE**

26. This session was convened on the morning of 7 August 2008 and was facilitated by Dr Darius Campbell, Head of Strategy and Evidence Division, Marine and Fisheries Directorate, Department for Environment, Food and Rural Affairs, United Kingdom. The presentations made by the respective speakers are provided on the accompanying CD-ROM.

### **The global status of IUU fishing**

27. This session began with a presentation by Dr Ussif Rashid Sumaila, Director, Fisheries Economic Research Unit, University of British Columbia, Canada, on the global status of IUU fishing including summaries by region, quantity, species and value. The presentation identified some of the economic driving factors of IUU fishing including high value catches, low likelihood of detection, low fines, and fishers' moral and social standing.

28. Dr Sumaila analysed IUU activity in the 1950–2004 period and pointed out the variation in IUU rates during those years. Estimates of the IUU catch value of some major species such as tuna were also examined. He theorized that the IUU issue remains so prominent on the international fisheries management agenda due to its severe ecological, economic and social consequences. Ecologically, IUU fishing with its illegal and unreported catches, distorts stock assessments which are an integral part of fisheries management and planning. It endangers long-term sustainability of fisheries. IUU activities skew the benefits of fishing by distributing these benefits in an uneven fashion and allow a few to benefit disproportionately. Socially, there are conflicts between domestic small scale fishers and the IUU fleet.

29. It was also pointed out that the costs of MCS need to be taken into account, with possible sources of internal and external financing listed. Improving the cost effectiveness of MCS could include identifying and providing the least costly approach, involving stakeholders, using technology, employing social and cultural sanctions, having regional cooperation and sharing MCS facilities.

### **Status of MCS in Norway**

30. A presentation which explained how MCS was done in Norway was given by Mr Aksel Eikemo, Director, Resource Management Department, Directorate of Fisheries, Norway.

31. Mr Eikemo provided a profile of Norway, describing the coastline, the fleet composition and the importance of fisheries to the national economy. MCS in Norway is carried out by several agencies, including the Directorate of Fisheries, the Norwegian Coast Guard and the sales organizations. The Directorate has responsibility for inspecting the landed catches and the inspections in the coastal zone. Norway is the second largest fisheries exporter in the world and export inspection is a significant component of control. The assets of the Norwegian Coast Guard for surveillance operations were described as well as the typical duties at sea, in port for landings and at export.

32. Mr Eikemo also stressed the need for international cooperation, the need for transparency and exchange of information and knowledge, and exchange of inspectors. He also emphasized the need to participate in regional fisheries bodies and to have good relations with NGOs. He concluded by identifying the basic elements in the Norwegian MCS toolbox: risk assessment, tracking of fishing vessels, recording by sales organizations of catches landed, e-reporting of catches and logbooks, trade measures and the need for legal elements to provide support in the IUU battle such as not granting a license to those with an IUU history.



## **Stop the illegal fishing programme in Southern Africa**

33. The next presentation of the session was made by Mr Per Erik Bergh, Director, Programme Coordination Team, International Fisheries and Maritime Development Consultancy (NFDS). Mr Bergh reported on the Stop the Illegal Fishing Programme in southern Africa. He shared a video clip from the conference held in southern Africa in July 2008 where eight coastal States in the region signed a commitment to try and stop illegal fishing. This was groundbreaking for southern Africa. The declaration called for reciprocity among the countries, i.e. when any vessel fishing illegally in one country is banned, it should be likewise banned from the waters and ports of all countries in the region. It also called for a total ban on transshipment at sea and harmonizing sanctions. It further stressed regional cooperation, national MCS capacity, fisheries governance and a chain of custody, which is new to the region.

34. In the period immediately following the ministerial conference, a number of high profile MCS activities occurred in the region, including: 1) action by Tanzania to revoke the commercial fishing licenses of 69 vessels, primarily tuna vessels, 2) the activity of Mozambique which apprehended and fined the Antilles Reefer, connected to Antonio Vidal, who has a criminal record for past IUU offences, 3) another vessel, the Paloma V, was deregistered from the Namibian fleet for IUU activities, and 4) Angola requested that Namibia detain four Spanish vessels.

35. The significant problems in the region included poaching on the east coast, conflicts between industrial and artisanal fleets, dynamite and poison fishing, discards and RFMO difficulties with fishing by non-party vessels and flags of convenience/non-compliance vessels. It was estimated that 65 vessels under flags of convenience/non-compliance were fishing in the SADC region in 2006-2007.

36. The situation in the tuna fleet was discussed, with its large fleet and increased transshipment and transport into the European market. This highlighted the need for regional MCS discussions and strong national programmes.

37. Mr Bergh echoed the experiences of many when he said that going from policy to action is the real challenge. The message needs to get to the right people and be well defined and broadcast through many different mediums. If repeated regularly, it will eventually become accepted.

## **Global extent of IUU fishing**

38. The final presentation of the session was made by Dr Darius Campbell who spoke about the results of a new study, the *Global Extent of Illegal Fishing* authored by Marine Resources Assessment Consultants (MRAG) and the Fisheries Ecosystem Restoration Research Fisheries Centre, University of British Columbia. The study is to be published soon as a follow-up on an earlier study, which had estimated the global value of IUU fishing to be USD 4-9 billion per year. This figure range has been quoted frequently. Due to the original study's reliance on a limited number of case studies, it was felt that the work needed to be redone. The United Kingdom's Department for International Development (DFID) sponsored the studies in both instances. The new study was based on 55 case studies and looked at a number of key species and a number of RFMO areas. The new study concluded that the annual global losses due to IUU fishing range from USD 10 to USD 23.5 billion. Profiles for various regions were presented.

## **SESSION 1 : MCS PAST, PRESENT AND FUTURE**

39. Session 1 of the second GFETW was convened in the afternoon of 7 August 2008 and facilitated by Mr Gerard Domingue, Compliance Officer, Indian Ocean Tuna Commission, Seychelles. Copies of the presentations made by the respective speakers are provided on the accompanying CD-ROM. The session featured presentations about MCS experiences and approaches as they evolved over time from national and regional perspectives.

## **Overview of Canada's Compliance Programme**

40. The first presentation in Session 1 began with an overview of Canada's Compliance Programme and was given by Mr Allan MacLean, Director, Conservation and Protection Branch, Department of Fisheries and Oceans, Canada. Including a historical look back to 1867, Mr MacLean focused on lessons which had been learned by Canada along the way. Compliance was a relatively small part of the job of a fishery officer historically and only in the past 25 years have they become more compliance-oriented. Canada has invested heavily in training programmes and in new technologies as well as engaging third parties.

41. Mr MacLean distilled the lessons into eight major points:

- a comprehensive training programme is essential for success;
- appropriate operations policies are needed to guide officers;
- time is needed to select the best new technology on the market and there is a need to be forward-looking and conscious of costs;
- no one tool will solve all problems;
- fisheries crime is becoming more sophisticated and organized, like a big business;
- traditional enforcement does not always address this type of crime as fishers go to great lengths to cover up;
- borders are not a hindrance to moving illegal products; and
- maintenance of networks at all levels is essential to compliance. Assessments of what works are an ongoing process and one can not assume because something worked in the past that it will work in the future.

## **South Africa's Programme**

42. Mr Nkosinathi Dana, Director, Special Investigations Unit, Department of Environmental Affairs and Tourism, South Africa, followed with his presentation on MCS in South Africa. He spoke about events preceding and following 1994, a watershed for the country in this area. Before 1994, South African fisheries were characterized by a few large quota holders and the need for MCS was perceived as low. Moving into the current situation, South Africa has promoted a new conservation-oriented approach to its fisheries stressing sustainable development. The country has now acquired new resources to assist in the carrying out of MCS functions, which are now believed to be needed. The new resources include new patrol vessels to address the current problems. He discussed the operation of syndicates of poachers, especially of abalone, who are sophisticated and who engage in extensive counter surveillance and monitoring.

43. He further spoke about the attempts to establish a specialized court for fisheries offences which ran into constitutional issues and was disbanded. The specialized court was set up, as traditional courts in general give low priority to fisheries offences. However, a new legal unit was created and it is doing the same sort of work.

## **Fisheries monitoring, control and surveillance in Central America**

44. Mr Mario González Recinos, Regional Director, Regional Unit for Fish and Aquaculture, Sistema de Integración Centroamericana/Organización del Sector Pesquero y Acuícola del Istmo Centroamericano (SICA/OSPESCA), El Salvador, provided the final presentation of the session on developments in the OSPESCA area. OSPESCA is comprised of seven countries: Guatemala, Nicaragua, Belize, Costa Rica, Honduras, Panama and El Salvador. Its purpose is to promote sustainable development of fisheries and aquaculture. A regional framework has been developed and it includes MCS.

45. IUU activities are a serious problem in the region and the member countries share common challenges. To address these problems they have focused on joining their limited individual resources

and strengthening their coordination by the creation of joint action plans. Recognizing the loopholes created by inconsistent legislation, they are also in the process of overhauling obsolete legal authorities from the 1950s and harmonizing legislation and regulatory measures.

46. They have enlisted cooperation among their respective navies even outside national boundaries and used VMS as support technology. A new regional register for industrial vessels has been created and in the future there will also be one for small-scale fisheries. A weekly newsletter to publicize infractions is forthcoming.

### **Discussion, comments and questions**

47. Specific questions were raised regarding the selection, applications, costs and shortcomings of technologies (subject areas included VMS, microchips, covert tracking devices tracking for small vessels and other questions). VMS was not a panacea but a tool which required adequate, skilled manpower to analyze the data and evaluate it with other sources of information.

48. Questions and comments were posed in the following areas:

- linkages of Canada's sophisticated system to decline of the cod fishery;
- determining the costs of MCS funding;
- microchips in certain fisheries with tags registered, scans to track product;
- court approval needed before planting various covert tracking devices;
- operation of a regional vessel register;
- standardization of VMS and fish managers who are often reluctant to impose standards and prefer the industry to choose; and
- impact of climate change, fuel prices, carbon management and efficiencies.

### **SESSION 2 : COMBATING IUU FISHING AT SEA**

49. The second session of the second GFETW was convened in the afternoon of 7 August 2008 and was facilitated by Mr Harm Koster, Director of the Community Fisheries Control Agency, European Commission. Copies of the presentations made by the respective speakers are provided on the accompanying CD-ROM. IUU activities often originate at sea. Combating these activities also starts at sea but can not be resolved by enforcement at sea alone. Cooperation is required with port States and market States. These states should be required to follow up on the findings from enforcement activities carried out on fishing vessels and transshipments at sea.

#### **Methodology, surveillance and monitoring activities**

50. C.F. Cheikh Ould Ahmed, Frigate Captain, Ministry of Fisheries, Islamic Republic of Mauritania, spoke about the comprehensive control and enforcement system of fisheries regulations, organizational structure, statistical checks and balances, patrol vessels and surveillance aircraft, as well as monitoring systems such as VMS and radar in Mauritania. The main challenges are corruption, political influence and insufficient controls, which are serious impediments to effective MCS.

51. Mauritania has acted successfully against unauthorized fishing in its exclusive economic zone (EEZ) and acted against two IUU vessels. However, the current situation regarding the minimum size of octopus is not satisfactory. Licensed foreign fishing vessels operating in the Mauritanian EEZ are not respecting the minimum size limits for octopus and effective cooperation with the port and marketing States (notably the European Union) is required.

## **Transshipment and reefers**

52. The second presentation of the session was given by Mr Kevin Painter, Special Agent, National Marine Fisheries Service, Pacific Islands Division, NOAA Office of Law Enforcement, United States of America. He began by providing a definition of transshipment: transfer of product from one conveyance to another for re-shipment. Reefers are large floating freezers designed for transport from near fishing grounds to processors on shore.

53. He indicated that while some legal transshipment occurs on the high seas, it is mostly banned. Where allowed in the South Pacific, transshipment requires 100 percent observer coverage. Transshipment still occurs, as it is profitable, and with very high fuel prices, there is an incentive to transship at sea. At sea, transshipments can take several days to complete. Inspections at sea are essential as well as port inspections.

54. Mr Painter advised that knowledge of the fisheries' basics, vessels and owners is important in order to be successful. Compliance with tuna transshipment regulations is an important task for fisheries control and enforcement in the Pacific. VMS and other data offer powerful tools to verify activities. He recommended making VMS a condition on the licenses of carriers as VMS is so valuable in monitoring this sector.

55. For port inspections, he advised a careful examination of all records, as often this is where illegal activity is concealed. Ships' logs are often falsified, but not always. He suggested looking at mate's receipts which are often in the possession of the master or chief officer. A close examination of all the available records was also suggested. Mr Painter advised that records from the entire voyage should be reviewed. Based on his experience Mr Painter encouraged that when things do not make sense, make inquiries and dig deeper.

## **At Sea Law Enforcement**

56. Mr Rohan Wilson, Senior Manager, Foreign Compliance, Fisheries Operations Branch, Australian Fisheries Management Authority (AFMA), Australia, spoke about AFMA's experiences. Although AFMA has no inspection or surveillance assets, it provides specialized assistance concerning fisheries offences to other relevant authorities, for example, to the Coast Guard, Navy, Air Force and Customs through daily briefings and deployed fisheries officers. Mr Wilson's experience in fisheries offences shows that "get the vessel and remove the crew" is a very effective response to illegal fishing activities. Rapid repatriation of crew diminishes the likelihood of bonding and departure of the vessel.

57. Australia issues no foreign fishing licences. A powerful sanction which Australia possesses is the automatic forfeiture of vessel, catch and gear. In international cooperation his advice is "share the problem - share the solution". Australia is involved in cooperation with its neighbours, such as France, South Africa and Indonesia.

## **Flag State issues**

58. The final presentation of the session was made by LCDR Chris German, United States of America Coast Guard, where he underlined the solutions to the establishment of jurisdiction on the high seas. He indicated flag State authorization was needed and one possible mechanism was through Flag/Coastal State Authorization via Ship Rider Agreements (Law Enforcement Detachment). The United States of America and China, Cape Verde, and certain Pacific Islands had done so. Boarding agreements under RFMOs, e.g., the North Atlantic Fisheries Organization (NAFO) and Western and Central Pacific Fisheries Commission (WCPFC) offered the right of visit/inspection with or, where appropriate, without the consent of the master. These agreements had been successful for verifying compliance with fisheries regulations.

## **Discussion, comments and questions**

59. The presenters replied to a number of questions from the audience notably on:
- international cooperation
  - other ship rider agreements
  - controlling legal authorities on the high seas
  - the damaging impacts of corruption and political pressure
  - transshipments
  - lengthy court proceedings
  - the need for support to developing States for inspection and surveillance as well as training
  - constant need for surveillance and control activities during the fishing season and not only when assets were available

## **SESSION 3 : USING TECHNOLOGY AS AN INTELLIGENCE TOOL**

60. Mr Todd Dubois, Assistant Director, National Marine Fisheries Service, Office of Law Enforcement, NOAA, United States of America, served as the general moderator of the day and opened the workshop on the morning of 8 August 2008.

61. Session 3 was convened in the morning of 8 August 2008 and facilitated by Mr Marcel Kroese, Environmental Management and Impact Assessment, Coastal and Environmental Services. Copies of the presentations by the respective speakers are provided on the accompanying CD-ROM.

### **The FAO vessel monitoring system (VMS) inventory**

62. The first presentation of the session was given by Senior Commander Gylfi Geirsson of the Icelandic Coast Guard, on FAO's VMS inventory. The inventory was in a questionnaire form and was a comprehensive survey distributed to nearly 200 states and entities. More than 100 replies have been received to date. After showing a status map of the world regarding usage or future VMS implementation, Commander Geirsson reviewed the highlights from the questionnaire:

- At a minimum, it is estimated that approximately 23,000 vessels report using VMS. (It is estimated that the actual figure may be at least double. The lower number is due to lack of replies and or misunderstandings regarding the questions. The estimate is based on informal information known about VMS programmes worldwide);
- About 50 percent of respondents with operational VMS indicated that data is exchanged between states;
- VMS can be used in a much wider context than just tracking vessels, although, it is a cost effective compliance tool; and
- FAO is compiling all of the responses received into a data base for further analysis.

### **Using technologies to monitor fisheries in international waters in the North East Atlantic**

63. Mr Cephas Ralph, Director of Operations, Scottish Fisheries Protection Agency, United Kingdom, followed with a focused presentation on technologies used by the Scottish Fisheries Protection Agency (SFPA). While describing the many benefits available from technological applications, Mr Ralph reminded the participants that these cannot serve as a replacement to the many traditional tools in use for MCS.

64. Mr Ralph reviewed active (e.g. VMS) and passive (e.g. aerial night vision and vessel detection system [VDS]) technologies. He demonstrated examples of applications of the technologies in real-life situations, including applying VMS data in conjunction with other data, such as catch statistics, and monitoring so-called equipment failures. He also showed other analyses to achieve more effective

monitoring of the fleet, although he emphasized that skilled personnel are required to analyze the data. Training of personnel remains a crucial and significant investment, stressing the need to engage in data mining to get full value from the systems, and he also believed international coordination in data analysis could be strengthened.

65. Mr Ralph also demonstrated the use of vessel detection systems and how they provide opportunities to detect vessel traffic in a given area at a particular time. He demonstrated the enhancements provided by the use of technologies such as aerial night vision enhanced with lasers, which allowed the identification of a vessel.

### **Non-satellite technology, the Philippine experience**

66. The final topic of this session was addressed by Mr Marlito Guidote, Policy and Enforcement Advisor, Fish Project USAID, Tetra Tech EMI, Philippines. He oriented the audience with a profile of the Philippines, including the devolution of authority to local municipalities and the challenges associated with an extensive and irregular coastline. He described the most significant violations: 75 percent of the violations consist of the intrusion of commercial fishing vessels inside the 15 km of municipal waters, followed by extensive use of dynamite fishing. He also discussed the innovative use of low tech cooperative community programmes such as those involving volunteer wardens as community enforcers and the extensive use of various coast watch type programmes as well as the involvement of the community in programmes with government support.

67. Mr Guidote displayed the use of easy to identify icons in recording and mapping the incidence of various types of violations, a system which can be used when illiteracy is a factor. He also spoke of reliance on VHF radios, with their ease of use, reliability and flexibility. Mobile phones and SMS messaging were also cited as widely used low tech tools due to their great saturation in the Philippines. He showed posters, toll free numbers, stickers and other mechanisms meant to appeal to the public and encourage their participation in reporting violations. He summarized the range of programmes which can be undertaken in lower tech environments in conjunction with local government structures and volunteer organizations.

### **Discussion, comments and questions**

68. The following points were raised after Session 3:

- Technology does not always have to involve million dollar assets and can be much more basic, although resources are a constant concern for MCS managers.
- Costs of VDS - it depends on the number of images and does have limitations.
- Advantages of traditional radar.
- The recurring challenge of vessels changing identities and how VMS might address this.
- While VMS also has some problems, these do not diminish its positive aspects.
- LRIT (Long Range Identification Tracking) was described and its use in conjunction with VMS.
- The need of strong supporting legal mechanisms for VMS.

### **SESSION 4 : IUU IMPACTS ON ARTISANAL FISHERIES AND RELATED SITUATIONS**

69. This session of the second GFETW was convened in the morning of 8 August 2008 and facilitated by Mr Åsmund Bjordal, Director, Centre for Development Cooperation in Fisheries (CDCF)/Institute of Marine Research, Bergen, Norway. Copies of the presentations by the respective speakers are provided on the accompanying CD-ROM.

## **MCS and artisanal fisheries in Indonesia**

70. The first presentation of this session was given by Dr Aji Sularso, Director General of Fisheries Surveillance, Ministry of Marine Affairs and Fisheries, Indonesia. He started by describing the characteristics of artisanal fisheries, including operating primarily in near shore fisheries, using traditional gear types, short duration trips and supplying the domestic or local markets. He emphasized their importance for poverty alleviation and food security in developing countries and pointed to the following challenges regarding IUU impacts on artisanal fisheries in Indonesia:

- IUU fishing by foreign vessels is a problem but IUU fishing by nationals is also a dilemma. Indonesia's IUU losses are estimated to be USD 3.125 million per year;
- conflicts with large-scale fishing; and
- overfishing and over-capacity with approx. 579 000 Indonesian fishing vessels of all types.

71. IUU fishing is often driven by an increase in demand for fish at the same time as fish stocks have been depleted. This can result in a pricing disparity. IUU activity is fuelled by a lack of surveillance capacity. In Indonesia, the major types of violations include fishing without a license, unreported transshipment at sea, flags of non-compliance, document falsification and unauthorized fishing practices. IUU fishing by foreign vessels in Indonesia's waters has been tracked to a number of neighbouring countries.

72. With increased enforcement (inspectors, community groups, patrol vessels, VMS, international cooperation, especially with Australia, and a sharp rise in the number of inspections), he demonstrated a significant increase in artisanal fisheries earnings over the recent years.

## **Participatory MCS in West Africa**

73. The next presentation was given by Mr Ousman K.L. Drammeh, Fisheries Consultant, The Gambia. Mr Drammeh spoke about experiences in West Africa where seven countries participate in collaborative fisheries management through a sub-regional fisheries commission. Fisheries in the region are important, as they supply 2 percent of the world's capture fisheries. These countries joined together, as they felt many of the benefits go offshore, although fishing is an important part of the regional economy and supplies a significant source of the gross domestic product, employment, affordable animal protein, and foreign earnings in the region.

74. His point of departure was the failure of centralized MCS in many countries in the region, due to high rates of IUU fishing, weak MCS, poor governance, foreign domination for the sector, over-exploitation of commercial stocks, lack of capacity and local compliance. As MCS was identified as a subregional priority, a participatory approach to surveillance was tried. Some initial hurdles consisted of the lack of involvement by local fisher folk in the planning and the management of fisheries and the sovereignty issues among participating states. However, these problems were overcome.

75. Participatory surveillance established a partnership among fishers, their communities and the national governments. Programmes used fishers to conduct surveillance on artisanal fishing grounds locally and supported the national governments' capacity building. Participatory surveillance had produced significantly better results. This has been the result of:

- reduced IUU fishing in artisanal fishing grounds;
- empowerment of fishers and communities;
- prevention of industrial fishing vessels on artisanal fishing grounds;
- conflict resolution;
- reduced cost of MCS; and
- reduction of sea accidents.

76. Mr Drammeh also reviewed the individual experiences in each of the member countries. Based on these experiences, the participatory approach to MCS was clearly recommended as a beneficial solution for artisanal fisheries as compared with a centralized MCS-system.

#### **Surveillance activities in Angolan waters: relevance of the MCS for small-scale fisheries**

77. The last presentation of the session was given by Mr Domingos Azevedo, Chief of VMS Department, SNFA/Surveillance Department, Ministry of Fisheries, Angola. He recounted a history of MCS in Angola and noted that during the war IUU activity increased. Satellite-based VMS was first used in 1998 on vessels above 15 meters. The shark and tuna fisheries were especially hard hit by IUU activities. Other problems involving unauthorized activities were detailed. Angola worked with South African Development Community (SADC) and RFMOs to exchange information about IUU vessels in the area. Port State Measures were applied and transshipment was prohibited. He described the MCS activities in Angola, including patrol vessels, training, regulations and the preliminary work which has been done on Angola's NPOA to combat IUU fishing. With regards to the artisanal fisheries sector, in 2004 the Angolan Ministry of Fisheries established a system of community observers with the main objective to control the artisanal fisheries. The observers also record and report any illegal fishing activities practised within their areas of operations.

#### **Artisanal fisheries in the Central American region**

78. By Mr Danilo Rosalas, Director of MCS, Nicaraguan Institute for Fisheries and Aquaculture (INPESCA), Nicaragua. This presentation was replaced with the one given by Mr Domingos Azevedo, Chief of VMS Department, SNFA/Surveillance Department, Ministry of Fisheries, Angola.

#### **Discussion, comments and questions**

79. The questions raised during the discussion included the following topics:
- Use of withdrawing licenses as an effective sanction.
  - Difficulty of dealing with fraudulent vessel documentation.
  - Difficulties of defining communities for purposes of involving a community in various efforts.
  - Social cohesion and peer pressures are both useful forces.
  - Those who are impacted by laws and regulations affecting their livelihoods want a say in these areas. This usually results in better compliance.
  - Supportive comments about co-management efforts. They often relieve the central government of trying to be everywhere at once.

#### **SESSION 5 : PORT STATE MEASURES**

80. Session 5 on port State measures was convened on the afternoon of 8 August 2008 and was facilitated by Mr Terje Lobach, Senior Legal Advisor, Fisheries Directorate, Norway. Mr Lobach has been closely involved with this topic for years and summarized the issue. The failure of flag States to effectively control the fishing operations of vessels flying their flags is one of the core problems of IUU fishing. Reliance on the implementation of flag State duties to prevent IUU fishing has proved to be insufficient, and enhanced port State measures are thus crucial in combating IUU fishing. In recent years the importance of coordinated port State measures have been recognized by RFMOs, both because all harvested fish must be landed at some point and the use of such measures does not entail substantial resources compared to inspections at sea. In 2005 the Committee on Fisheries (COFI) adopted a voluntary instrument, the FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing (Model Scheme), describing basic and minimum port State measures for subsequent regional implementation. Further strengthening through the development of a global legally binding agreement concerning port State measures has begun.



## **Development of global port State measures instrument**

81. Mr Jean-François Pulvenis de Séligny, Director, Economics and Policy Division, Fisheries and Aquaculture Department, FAO, provided a snapshot of the past, present and future in port State measures. There have been several calls on States, individually and collectively, to adopt all necessary port State measures, particularly those envisioned in the Model Scheme, and, in parallel, to initiate a process to develop a legally-binding instrument on minimum standards for port State measures. COFI agreed in 2007 that an Expert Consultation should be convened during the latter half of 2007 to prepare a draft agreement and that a Technical Consultation (negotiations between FAO Members) should be held to finalize the instrument's text during the first half of 2008 and present it to the next session of COFI in 2009.

82. A group of experts met in September 2007 and developed a comprehensive draft of the main body of a global, binding agreement. Technical annexes dealing with prior notification, port inspection procedures, result indicators and information systems were also included and, due to time constraints at the Expert Consultation, later modified within the FAO secretariat. The draft agreement builds on the Model Scheme, but it has been restructured to meet legal requirements. The draft was the basic document for the FAO Technical Consultation that took place in June 2008. The Consultation was not able to finalise its work, and agreed to continue the discussions in January 2009. The draft currently applies to vessels not flying the flag of the port State, and contains provisions on the designation of ports, the advance request for port access, the denial, access and use of ports, the inspection procedures, the follow-up actions related to infringements, the role of flag States, and special requirements of developing States, as well as dispute settlement procedures, although a number of issues remain under debate. It is envisaged that the agreement will be presented to COFI in March 2009. (Editor's note: As of August 2009, the negotiations among the States are going on. The resumed technical consultation continued in May 2009 and was scheduled for another session in August 2009).

## **Weighing technology and conversion factors**

83. Mr Thordur Asgeirsson, Director, Directorate of Fisheries, Iceland, described weighing technology and conversion factors as keys to effective data collection on landed catches. Monitoring and managing fisheries depends on prompt and accurate information, ideally in real-time. Knowing when a total allowable catch (TAC) has been reached is of vital importance when considering the closure of a fishery. Conversion factors are needed, as TACs are based on whole weight and annual catch quotas are based on gutted weight. The weight of the gutted catch is recorded as is and the weight of the whole fish is converted into the gutted weight. Fixed conversion factors apply to various species. They are not fixed for factory vessels but based on production samples for each trip.

84. Using Iceland as an example, he informed that the Icelandic system requires all catches to be weighed in authorized fishing ports. There are more than 50 of these in Iceland. The port authorities record and submit landed catch information to the Directorate's database and this data is also accessed by the Statistical Bureau for economic statistics. The landed amount is then subtracted from the vessel's quota and the information is immediately available on the internet. The information is open access, easy to use and updated every 12 hours. It can be used by fishers and vessel owners to avoid exceeding quotas and resulting fines. The benefits are many and include reducing costs and workload, time savings and improved quality of data.

## **North East Atlantic Fisheries Commission (NEAFC) experience with port State controls**

85. Mr Martin Newman, Deputy Head of International Inspection, Directorate-General for Marine Affairs and Fish, European Commission, was the next presenter. In 2006 NEAFC adopted a new scheme on port State control for the North East Atlantic region, and although based on the FAO Model Scheme, it went beyond the Model Scheme's provisions. While all other provisions of the scheme apply only to areas beyond national jurisdiction (the Regulatory Area) and to "regulated resources", the provisions for port State control have a much broader scope, as they apply to the whole

Convention Area, which includes the EEZs of NEAFC parties, and to all fisheries resources in that area. The scheme is, however, limited to frozen catches. Parties to NEAFC have designated ports where landings and transshipment operations are permitted. A prior notice of entry into port is required at least three working days in advance that shall include the vessel name, the external identification number, the international radio call sign and the flag State. The catch information shall include total catch onboard and catch to be landed (by species, live weight in kilo and area of capture). The authorization to land or tranship shall only be given if the flag State of the vessel confirms in writing that: 1) the vessel has caught the fish within a sufficient quota, 2) the quantities have been duly reported, 3) the vessel was authorised to fish within the area of capture and 4) the presence in that particular area has been verified by VMS data. NEAFC parties are required to carry out a full-fledged inspection of at least 15 percent of the landings.

86. Mr Newman gave a concrete example of the good results of port State measures in NEAFC. He spoke about the Barents Sea cod fishery where a high amount of cod had been taken illegally in 2005, with significant landings occurring outside coastal states in the region en route through a conduit to China. Using the Barents cod fishery and its troubles as an incentive, NEAFC adopted its port State scheme, which relies on close cooperation among a number of member States. Normally the port State has no idea of a vessel's quotas or authorizations, as this is submitted to the flag State, although reports are supposed to correspond to the catch on the vessel. These conditions prompted NEAFC to require written flag State verification on the four points to assist the port State's inspections as described in paragraph 87.

87. Mr Newman described the three primary components of the NEAFC scheme as notification, verification and authorization. Transparency is also important and the required forms are on a protected portion of the NEAFC web site. It was essential to keep the forms short, e.g. one page. He predicted that market State control and traceability would be the next big challenges.

#### **Discussion, comments and questions**

88. A number of questions were posed about the following topics:
- joint resolutions with the IMO, as well as the ISPS Code and SOLAS and cargo;
  - additional checks being done by comparing buyers' figures with those from the port;
  - use of authorized weighing equipment;
  - accuracy of estimates for illegal cod fishing and its reduction;
  - market State controls and the current EU proposal on IUU; and
  - transshipment at sea is prohibited.

#### **SESSION 6 : DETERRING IUU IN THE NORTH EAST ATLANTIC – BREAKING THE REEFER LINK**

89. Commander Gylfi Geirsson, Icelandic Coast Guard, Iceland, introduced the topic of Session 6, deterring IUU in the North East Atlantic - breaking the reefer link, a case study about a high profile series of events involving illegal fishing and transshipment, global reach and international cooperation.

90. A number of nations face huge IUU problems and these are often linked to transnational organized crime. International cooperation has played a big role in fighting this problem. This case study involves vessels and reefers which were observed illegally transshipping and then repeatedly attempting to make port from one side of the globe to the other. Due to international cooperation through States and RFMOs, they were denied with ever escalating costs and loss of profits. Operational, diplomatic and RFMO perspectives on the events were presented.

91. Mr Michael Quillinan, Fishery Control in International Waters, Directorate-General for Marine Affairs and Fish, European Commission, spoke first, providing a factual account of the events. Initial observations of the illegal fishing were made by Iceland but additional resources were needed to

further the matter so other countries, including Norway and the Russian Federation, as well as the EU, were engaged to jointly liaise with other States on this series of illegal activities. He reviewed the scheme in NEAFC, together with its blacklisting scheme. He told about the initial illegal fishing violation, the listing as a NEAFC IUU vessel, subsequent name change to conceal identity, and transshipment with a reefer named the Polestar. The story continued with the Polestar's voyage from the NEAFC area to Las Palmas, through the Panama Canal, to Korea, Japan, and finally China, Hong Kong, Special Administrative Region. In 2007 the Polestar was still on the IUU list with a new load of fish on board visiting Alaska, Europe and finally Morocco. In Morocco it was detained and eventually posted losses of USD 2 000 000 for this prolonged transport.

92. Attributing the success of this incident to extensive international cooperation and intelligence sharing, as well as identification and tracking of vessels, Mr Quillinan also tallied other successes credited to the NEAFC scheme, including the scrapping of six vessels, the detaining of three others, and the refitting of another, with several still on the IUU list of NEAFC.

93. Mr Hans-Olav Stensli, Senior Advisor, Department of Marine Resources and Environment, Ministry of Fisheries and Coastal Affairs, Norway, told how Norway applied diplomatic and political pressure bilaterally, regionally and beyond, to address the situation. The issue of IUU cod and redfish, the species involved here, were very serious issues from Norway's perspective. The activities undertaken to thwart the landing of the illegal fish included mapping activities and concern over displacement as control tightened in the NEAFC region, assessing risks, planning what to do, sending a joint Norwegian-Russian letter to port States, visits of Norwegian diplomats to port State counterparts and explaining the IUU problem and blacklisting process, sending other letters requesting the denial of entry into port, demarches-diplomatic correspondence, enlisting ambassadors from Norway and Iceland and finally sending letters to Morocco, which also acted due to its bilateral agreement with Norway.

94. These cases had a dramatic effect on IUU operators and raised awareness among traders about the requirements. While acknowledging that activities against specific vessels could be very effective, as in this case, the major challenge is to institutionalize such cooperation. He called for a global regime for port State measures in fisheries.

95. Mr João Neves, MCS Manager, NEAFC, provided a detailed account of the control and enforcement scheme in NEAFC, in particular the IUU listing process. He described how the vessel's flag State and all NEAFC contracting parties are notified about listing events and consequences. If there is no reaction from the flag State, a second, stronger letter is sent to the minister and if there still is no reaction, then the vessel is placed on the IUU list.

96. Mr Neves also explained how a vessel can be removed from the IUU list if the flag State clearly demonstrates that a number of conditions have been fulfilled such as de-registration, prosecution, change in legislation, if necessary, admission of illegal use of flag, scrapping, or other conditions. The Secretariat only deals with the flag State and does not deal with the vessel directly, even though the vessel owner is often very quick to react.

### **Discussion, comments and questions**

97. Follow-on comments were made regarding:

- reefers outside of areas of RFMO control;
- the great importance of market pressure; and
- global record of fishing vessels: a new initiative is mentioned as another tool to stop IUU fishing. This will shine a light on the history of vessels which wish to reflag.

## **SHIP VISITS AND FIELD TRIPS**

98. In the evening, participants were invited to the Trondheim quayside to visit two fisheries patrol vessels. One, the FPV Jura of the SFPA, was one of the newest vessels in the SPFA's fleet and designed to accommodate the trend of the fishing industry to operate further offshore. The other, the Njord, was from the Norwegian Coast Guard. The crews welcomed the visitors with tours of the vessels and explanations about the operations and uses of various pieces of equipment on board.

99. To further the opportunity to network and enjoy the Norwegian venue there were three options for field trips Saturday, 9 August. One was a guided city tour of Trondheim, travelling the streets and the harbour with a stop on the island of Munkholmen, including an old monastery and jail. The trip ended with an intimate concert in a private garden in the city center of Trondheim. The second was by speed craft to the outer shorelines, where the Norwegian Sea meets the first islands of Norway. It included a visit to the local island municipalities and a meeting with representatives of the local fishing industry. The third was a trip by bus to the UN World Heritage site of Røros. The city of Røros is situated at an elevation of 900 meters above sea level and was founded in the 16th century after it was discovered that large reserves of iron ore were in the hills surrounding the city.

## **SESSION 7 : MCS NATIONAL, REGIONAL AND INTERNATIONAL COOPERATION**

100. Mr Rohan Wilson, Senior Manager, Foreign Compliance, Australian Fisheries Management Authorities, Australia, served as the general moderator of the day and opened the workshop on the morning of 10 August 2008.

101. Mr Mamadou Ball, Director, Commission sous-régionale des pêches (CSRP), who acted as facilitator, introduced Session 7 by citing common objectives which need to be shared to achieve responsible fisheries. Copies of all the presentations delivered during this session are contained on the accompanying CD-ROM.

### **Cooperation between agencies within national government**

102. Mr Shaun Driscoll, National Manager, Investigation Services, Ministry of Fisheries, New Zealand, lead the presentations in Session 7 talking about cooperation and collaboration among national agencies in support of MCS activities. In New Zealand, this cooperation comes from a number of agencies, including some with multiple missions besides fisheries. Collaboration is also supplied by universities with specialized forensic capabilities. He noted that, as fish management evolves, so should MCS. In New Zealand they have a strong legal framework supporting MCS. He named two significant problems experienced by New Zealand: misreporting and dumping, both of which are difficult to detect and have serious consequences for the ecosystem.

103. He provided several case studies in which MCS operational personnel infiltrated a black market syndicate for abalone and rock lobster, where over 150 offenders were apprehended and charged. The success of the operation was attributable to the cooperation of many other agencies.

### **Bilateral MCS agreements**

104. Mr Bjarne Schultz, MCS Senior Advisor, Control Section, Directorate of Fisheries, Norway, addressed the practical needs which lead to bilateral arrangements between countries, such as shared fish stocks between neighbouring countries where the fish, of course, do not respect political boundaries, but for which countries have a common responsibility. Also, MCS needs, and sanctions for violations can be the subject of bilateral cooperation agreements. For instance, without cooperation, surveillance can be very limited.

105. He pointed out a number of situations where cooperation is needed to detect illegal actors and gave the example of vessels which rapidly change identity and registry to avoid detection and

apprehension, or those which obliterate their markings to frustrate identification. This concealment can often involve a vessel but it can also be done to cartons containing fish to hide the identity of the fish or its true origin. False holds in vessels are often present and designed to conceal illegal fish.

106. Mr Schultz cited 17 other States Norway has entered into bilateral relations with and two RFMOs. Whether acting as a flag State or coastal State, both achieve benefits. Transparency and trust are essential especially when sharing information. He cited a list of information which could be exchanged for MCS purposes and stressed the need to have readily available contact information, as time is often critical. The evidence is always moving and often operating informally is necessary.

### **Building and sustaining regional fisheries surveillance cooperation**

107. The final presentation of Session 7 was given by Mr Jude Talma, Ag. MCS Manager, Seychelles Fishing Authority, Seychelles. Mr Talma spoke about the subregional fisheries commission in the South West Indian Ocean which has five members and jointly cooperates to provide surveillance in the region. The group began with the commissioning of a study on combating IUU in the region's member States. After obtaining the results, they developed a regional surveillance plan for the South West Indian Ocean and the chief operating officers met. Surveillance operations were initiated to try to reduce IUU activity in the region and to improve MCS capacity in the member States. The EU provided funding for the multi- and bi-national patrols. A regional coordinating unit was created, data was exchanged, which proved to be very important, maritime aerial surveillance was planned and organized, regional technical coordination occurred, assessments of national patrol assets were carried out and the regional coordinators met after every patrol to assess it and to propose new ideas. They defined IUU vessels as those not on a positive list or not licensed to fish in the EEZ, or those fishing in restricted areas. Member States laws are applied.

108. The results include rapid decisions on operations, in particular with regard to the appropriate jurisdiction, often a difficult issue to resolve. The patrols are supported with tactical and technical experience and data is provided to advise the patrols while they are at sea. Technology is relied on through VMS, satellite imagery and ocean satellite technology.

109. In a six month period, 5 regional missions were conducted. A number of infractions were detected although no IUU activities were found. Availability of assets and participants, as well as fuel costs are ongoing issues. In the future they hope to have access to port State inspection data, to enlarge membership and to address the sustainability of the project through commitment and a regional fund.

### **Discussion, comments and questions**

110. Following the presentations the following topics were raised:

- In some jurisdictions laws provide for the restitution to be made to the coastal State due to lost resources and lost market value.
- Involvement of Customs with multi-agency cooperation, as they are essential.
- Importance of the sustainability of these projects over time.
- The total cost of such programmes in relation to the relative size of the fishery is low.
- Harmonization in a number of fields is important - legislation, access, penalties, licence conditions, transfer of information and using the same software for information transfer are possibilities.
- In some areas there is contested jurisdiction and this remains an outstanding issue.
- Discards present another common issue and are a challenge for the future. It may become easier to prove discards as the vessel technology improves.
- Some use catch profiling with observed and non-observed comparisons.
- Information exchange could really help develop this area.

## **SESSION 8 : CAPACITY BUILDING AND SKILL DEVELOPMENT**

111. This session was convened on the morning of 10 August 2008. Copies of all the presentations delivered during this session are contained on the accompanying CD-ROM. The session was facilitated by Mr Peter Flewwelling, MCS Advisor to Mozambique, National Directorate of Fisheries Administration, Ministry of Fisheries, Mozambique, who posed the following questions: 1) why do developing countries come to training? and 2) what are they looking for? He noted that the presentations in this session, which were aimed at the inspector level, would be useful for both developed and developing country officials, the latter always seeking cost effective and the least costly mechanisms to do their jobs. He stressed that no one can do the job alone but the most effective mechanisms for conveying skills need to be affordable and they need to be used.

### **Key elements of reporting, chain of custody and evidence handling**

112. The topic Key elements of reporting, chain of custody and evidence handling was presented by Ms Martina Sagapolu, Deputy Special Agent-in-Charge, National Marine Fisheries Service, Office of Law Enforcement, Southwest Division, NOAA, United States of America. Ms Sagapolu spoke about how an investigator builds a case. Asking the questions what, who, when, where, how, and why are good beginnings. Real-time information is important but older information can still be valuable. She stressed that validating information could make a case succeed or fail. She reminded the participants that there are many potential sources of information in an inspection. An inspector should gather all the information presented voluntarily, even if it is not obviously collected to support the violation, as it could have value in the future. The examples she gave were related to bills of lading, cargo, origin, weight and amount, receiver and any history of violations. She noted that captains have a habit of keeping lots of information from the past. Information could lead to evidence.

113. Ms Sagapolu also added that physical evidence is essential and its collection and preservation are important. Every piece of evidence should be collected, bagged, tagged and labelled. Evidence should be inventoried. Photos should be taken. It should be determined whether evidence should be stored or sold. If perishable, fish should be converted to money and this should be decided early so as to preserve the value of the product. If the fish is reduced to a check it should be deposited in a suspense/escrow account where it will be held until the matter is adjudicated. Cross contamination of biological materials should be avoided.

114. The chain of custody starts immediately and if done properly, it keeps an inspector out of trouble, as it will verify that the evidence has not been tampered with. Accountability is vital so the case will not be compromised.

### **Applications and investigative case studies utilizing fisheries forensics**

115. Mr Gregg Houghaboom, Assistant Special Agent-in-Charge, National Marine Fisheries Service, Office of Law Enforcement, Southeast Division, NOAA, United States of America of America, presented his talk concerning fisheries forensics. He noted that the field has evolved greatly during the past two decades. Forensic technology is often needed to deal with cases concerning suspected product re-labelling or substitution. Fish are often declared erroneously and sold as other species in order to avoid import taxes, inspections and to misdirect investigations.

116. NOAA is fortunate to have a forensics laboratory to deal with fisheries and Mr Houghaboom showed how a well equipped forensic laboratory could assist in case preparation. The laboratory conducts morphological and biological analyses and runs comparisons against known samples of particular species. Fish identification can be determined from fillets, scales, blood, bones, soups, etc. by conducting protein or lipid analysis and DNA sequencing. It can be determined if a fish is farm-raised or wild, the species, the origin, its safety, the harvesting methods and the retrieval of electronic data such as tags. There is also an internet site which carries a bank of DNA samples called GenBank, <http://www.ncbi.nlm.nih.gov/Genbank>.

## **VMS training academy**

117. The final talk of the session was given by Mr Douglas Watson, Manager of the VMS Training Academy of Carpe Diem, regarding new training programmes on VMS. Mr Watson explained the challenges facing national and regional VMS programmes such as recruitment, retention of trained staff, the existence of complex legal systems for VMS, the lack of experienced monitors and the VMS Officer bottlenecks, i.e., delays. The courses at the new VMS Academy will be offered in a traditional classroom setting as well as on-line. He listed the physical locations of the new VMS Academy with its three centres in Australia, the United Kingdom and the Middle East. Government, industry and university experts will lead the training and provide assistance. The principles of the Academy to have professional instructors, certified courses, industry participation, live and online courses and both theoretical and practical training were merged with the basic, intermediate and advanced training tier. They will deal with topics such as preparing for court and anti-tampering. In addition to fisheries compliance-based courses, there will be additional activities in Maritime Security and Law, VMS Installation and analysis in several languages in the near future. Funding was being initially pledged from several donors involved in the fisheries sector. In summary, Mr Watson highlighted the need for an independent source of analysis and training in VMS and the Academy sought to bridge the current gap in the global VMS structure.

## **Discussion, comments and questions**

118. Following the presentations, a number of issues were raised:

- Options on disposal of seized products were noted as sale, donation, and destruction, if the products were not permitted for capture.
- In each case of sale, the proceeds were required by law to be placed in an escrow account until legal proceedings had been completed.
- One of the FAO representatives noted that for those which met the criteria, funding could be applied for to participate in courses by the VMS Academy and would be channelled through the UN and FAO, under authority in the UNFish Stock Agreement Part 7 Fund:  
[http://www.un.org/Depts/los/convention\\_agreements/fishstocktrustfund/fishstocktrustfund.htm](http://www.un.org/Depts/los/convention_agreements/fishstocktrustfund/fishstocktrustfund.htm)
- Forensics analysis was conducted for any case that required it under the laws of the United States of America.
- The potential for VMS Academy assistance to developing countries with VMS problems resulted in a positive response. The major problem in assistance to developing countries when addressing forensics analyses stemmed from unclear and lack of properly certified copies of national laws accompanying the evidence.
- The costs of a forensics laboratory resulted in a general estimate of USD 500 000 per year or an estimate of USD 1 000 per sample requested.
- Two web-based information sites, Genbank and the BarCode of Life, [www.barcoding.si.edu](http://www.barcoding.si.edu) could provide base DNA Samples or other data for species identification for all countries.
- Finally, there had been liaison with other crime laboratories or other institutions for forensic case analysis, and to date the United States of America had not been challenged in court by the defence in its findings.

## **SESSION 9 : ORGANIZED CRIME**

119. The session on Organized crime was convened on the afternoon of 10 August 2008 and facilitated by Mr Paul Murphy, General Manager, Operations Compliance, AFMA. Copies of all the presentations delivered during this session are contained on the accompanying CD-ROM.

### **Corruption**

120. Ms Eva Joly, Norwegian Agency for Development Corporation, Norway, gave an insightful and confronting talk on corruption from an international perspective. The group, Global Financial Integrity from Washington, D.C., has estimated that corruption amounts to USD 1-1.6 trillion per year, with large amounts coming from mispricing and businesses. It was noted that while international conventions exist to address corruption, they have had little effect, as there has been little done to show that countries are willing to act in accordance with the anti-corruption principles they have agreed to in these international instruments.

121. The presentation did not have a fisheries focus, although many of the countries involved in corruption were also of interest from a fisheries MCS perspective. Extractive industries, including oil and timber, were often sources of national wealth for developing countries and vulnerable. Abuses in these areas were similar to those occurring in fisheries.

122. Corruption in developing countries typically adopted one of two methods to exploit funds that would otherwise return to their governments and benefit the nation as a whole. These methods involve either selling to countries that are tax havens or not declaring accurate numbers for production and/or exports. The diverted funds are usually invested in developed countries. As such, it is the developed countries which benefit the most from corruption, even though the manifestation of the corruption is usually in developing countries. Ms Joly highlighted that it is the developed countries that must take the lead in stamping out corruption by not allowing the movement of illicit funds into their economies, exercising the political will needed to halt the problems and enforcing the anti-corruption legislation which exists.

123. In concluding her presentation, she challenged the audience to answer whether it was impossible to say "no" when told from those above not to look at an issue. She mentioned a number of resources on the subject including:

- "Gomorra" - Roberto Saviano, Arnoldo Mondadori Editore SpA, Gallimard, 2006
- "Capitalism's Achilles Heel" - Raymond Baker, John Wiley and Sons, Inc. 2005
- "Cambodia's Family Trees: Illegal Logging and the Stripping of Public Assets by Cambodia's Elite", a report by Global Witness – 2007

### **Forensic accounting**

124. Ms Sara Block, Special Agent, National Marine Fisheries Service, Office of Law Enforcement, Northeast Division NOAA, United States of America, followed with another talk on forensic techniques, this time in forensic accounting. She used numerous examples of tracing the movement of fish from developing countries into the United States of America's fish processing and retailing industry. Many examples of documents commonly used when transporting fish were discussed, the central theme being that money always leaves a paper trail. Flows of fish product are often backed by records that have reference numbers that explicitly link records together. Sometimes there are illegal product codes or names that must be deciphered. She specifically mentioned sales orders, invoices, journals, accounts receivable, deposit slips, receipt journals, import documents, storage documents, e-mails and a general ledger as possible sources. Ms Block advised that the more an inspector knows about the flow of product and the payment cycle, the more thorough the inspection can be.



125. Ms Block mentioned several times that researching accounting documents takes patience and if at first you don't succeed, then "keep digging". Her advice to agencies considering conducting investigations that will involve tracking high volumes of paperwork, is to hire forensic accountants.

#### **Discussion, comments and questions**

126. This session concluded with a discussion of the following points:

- The European Union is developing regulations which will require catch certification and verification by the Flag State.
- In the United States of America, buyers of illegal product can also be charged with illegal activity under the Lacey Act, a seminal law for wildlife and fisheries trafficking.

#### **SESSION 10: USES OF LAW IN COMBATING IUU**

127. Ms Vicki Nomura, Special Agent-in-Charge, National Marine Fisheries Service, Office of Law Enforcement, Northwest Division, NOAA, United States of America, served as the general moderator of the day and opened the workshop on the morning of 11 August 2008.

128. This session convened the morning of 11 August 2008 and was facilitated by Eileen Sobeck, Deputy Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, United States of America.

#### **Uses of law in Central America**

129. Session 10 began with a presentation by Dr Heiner Mendez, Chief Legal Advisor to the Costa Rica Institute for Fish and Aquaculture (INCOPECSA), Costa Rica, who spoke of the recent experiences in Central America on this issue. Dr Mendez commented upon recent developments that had produced strengthened fisheries laws in the region, with tougher enforcement provisions and increased management homogeneity. He noted, however, a continuing lack of monitoring and enforcement capability and resources in the region, as well as a need to ensure the understanding of healthy fishing practices by the local regulated community. One new development had been the consideration of these offences as criminal activities and specifically economic crimes threatening world food safety. This approach has been used successfully to prosecute offences involving organized criminal syndicates. Dr Méndez reported that very soon there will be a valuable new Central American enforcement tool: a regional fishing vessel registry, where each member State will continue to have its own national register but they will also be combined at the regional level. The fishing communities' involvement has been obtained as they have helped identify unauthorized fishers.

#### **Uses of law: a Pacific Island perspective**

130. The next speaker was Mr Peter Graham, Director, Policy and Legal Division, Ministry of Marine Resources, Cook Islands. Building on the recurring theme of regional cooperation, Mr Graham emphasized the importance of the harmonization of local laws at a regional level, while being sensitive to issues of national sovereignty. Recognizing that fisheries laws at a national level need to be updated to address new challenges, including IUU issues, such updates provide a good opportunity for increased regional consistency. They include, for example, promotion of similar fine amounts and minimum penalties, minimum licensing terms and conditions for foreign fishing vessels, annual renewal and requiring registration on the regional vessel register, use of presumptions and strict liability.

131. In the Cook Islands, revising and updating the fisheries legislation was an opportunity to examine fine levels, which were increased to a maximum of USD 1 million and to insert new provisions on cost recovery. Mr Graham identified a number of remaining challenges, including means of obtaining payment of penalties which have already been levied.

132. As part of an effort to control capacity and improve MCS and sustainability, a current subregional initiative is underway involving purse seining which seeks to cap effort, impose 100 percent observer coverage, port to port VMS coverage and 100 percent catch retention.

### **Uses of law in Mozambique**

133. Mr Manuel Castiano, Head of Department, Ministry of Fisheries, Mozambique, provided legal insights resulting from a recent major IUU enforcement success in Mozambique. His presentation demonstrated that judicially implemented sanctions are not always the most effective system to ensure that IUU violations are punished, but in fact, as in the case of Mozambique, an administratively based system can be highly successful.

134. Mr Castiano challenged the audience with the question of how to give effect to a sanction when the violator does not pay within the prescribed timeframe and the instrumentalities of the crime, including the vessel and its license, have already been seized. He spoke about utilizing alternatives, including diplomatic avenues, with the vessel's flag State. It was clear that successful collection of fines remains a challenge for many.

### **Using US domestic legal frameworks**

135. The final presenter was Ms Meggan Engelke-Ros, Enforcement Attorney, NOAA, United States of America, Ms Engelke-Ros reminded the group that most IUU fishing is domestic, and provided another perspective on choices of domestic legal frameworks that can lead to appropriate sanctions and significant deterrence in the IUU context. She emphasized that penalty levels should be based upon catch level and values, among other factors, and not simply be the cost of doing business, i.e., there should be a punishment.

136. She stressed the value of having a legal enforcement perspective early on in the process of developing the content and language of regulations and legislation. If a law or regulation cannot be enforced, then it is worth little. There has to be legal and operative enforceability as both are important. Revisions to regulatory and legislative authorities should be anticipated, to respond to dynamic environments and changed conditions.

### **Discussion, comments and questions**

137. A discussion on the following issues was held:

- Under the US Lacey Act, does the US need to consult with foreign governments about the prosecution?
- The difficulty in obtaining certified copies of foreign law when a case is based on a provision of another nation's laws. Such a case can also require testimony or other assistance.
- There is disparity among penalty levels. It is not so easy to make the penalty fit the offence: in some cases the penalty level is fixed in law, with no provision for adjustment or increases due to increased costs of licensing, changed conditions and inflation over time. Without sufficient mechanisms to increase penalties over time they can become irrelevant to the offence. Indexing to value of catch and prices was suggested and there could also be a hybrid scheme to protect against price fluctuation. Some States have established minimum base level penalties to be calculated with inflationary adjustments every year.

## **SESSION 11 : FUTURE OF IUU DETERRENCE**

138. This session was facilitated by Ms Michele Kuruc, Senior Fishery Industry Officer, Fishing Technology Service, FAO, Rome. This final substantive topic was placed last intentionally, to encourage all the participants to consider what new challenges might be ahead in the fight against IUU activities. The panelists represented traditional MCS/governmental authorities but also other alternatives, including industry advocates and NGOs who are also committed to the IUU battle.

### **Ocean to market trading**

139. Mr Jeffrey Ray, Special Agent, National Marine Fisheries Service, Office of Law Enforcement, Northeast Division, NOAA, United States of America, used case studies from his work to demonstrate the role of the market in MCS. He echoed the remarks of previous speakers regarding the need for financial forensics and evaluating the supply chain for information and documents, especially regarding the identification of the beneficial owner. He talked about the value of locating and tracking the number on the container in which the product is shipped, as it can yield information. He urged investigators to build relationships with many who might seem like they have inadvertent involvement, such as freight forwarders or others involved in the handling and transport of the product. Mr Ray praised NGOs as great sources of information about supply chain activities. He also noted that sometimes an entire document is fake and sometimes only a portion of it has been falsified, and that sometimes it yields clues about the larger scheme of concealment. One important piece of information is the true value of product entering the market.

### **IUU fishing – The market as an agent of control**

140. Mr Mike Mitchell, Head of Seafood Sustainability, FoodVest Group, United Kingdom, explained the initiatives taken by some in the processing industry in the United Kingdom as they sought to deal with the problems caused by IUU fish in the marketplace. FoodVest developed management tools to help put their responsible seafood sourcing approaches into practice. Consumers, as well as these processors, were concerned about IUU products

141. Mr Mitchell considered the three main drivers of IUU fishing to be profit, survival of the quota holder and non-detection of the illegal fishers. He considered the solutions to the IUU problem to lie in both the political sphere and with law enforcement.

142. The Fish Processors and Traders Association (AIPCE, EU), represents 80 percent of the cod consumed in Europe. They recognized a gap in government measures dealing with port State control, so they devised their own control documents. It provided a series of principles including no transshipment to flag of non-compliance (FOC) vessels, no product from NEAFC blacklisted vessels, and other measures to try and ensure legal product. A risk assessment protocol was also developed. Once the NEAFC port State measures scheme took effect in May 2007, the AIPCE tools were no longer needed. They judge these types of schemes to be the future, which clarifies and certifies the legality of the product. In some other fisheries there is still a need for a voluntary practice code and they are working with these.

143. These sorts of developments were considered to be a win-win situation. Mr Mitchell felt working together would yield the greatest benefit in stopping IUU caught fish from entering the supply chain.

### **Engaging non-governmental stakeholders, including consumers, to assist in combating IUU fishing**

144. Mr Alistair Graham, Oceans Governance Policy Adviser, World Wide Fund for Nature (WWF), Australia, highlighted the roles of the NGOs in the fight against IUU activities. They have an ability to operate successfully and quickly in the influential court of public opinion, where often they

are in an advantageous position to act, whereas governments may not have the same options. NGOs can appeal directly to the buying public and inform them about IUU product entering the marketplace and put pressure on operators without resorting to more time consuming prosecutions and legal cases.

145. Mr Graham cited several examples of NGO and industry initiatives at the operational level to try and deal with IUU operators both at sea and afterwards. The work of the Coalition of Legal Toothfish Operators (COLTO) was mentioned in trying to publicize the identity of illegal operators. He advised that the current emphasis on the vessel should be shifted to deal with the people such as the owners to be more effective. Mr Graham also raised the prospect of data collected by governments becoming more available to NGOs. Governments collect large amounts of data but often it is not very accessible.

### **Discussion, comments and questions**

146. The final substantive session ended with a number of questions and comments:

- Tips for building contacts across sectors such as the United Kingdom commercial economic group, which brings together different groups of stakeholders four times per year.
- Problems caused by off-shore services, including tax havens.
- Awareness raising.
- Different NGOs take different approaches.

### **CLOSING SESSION**

#### **Workshop declaration and closing**

147. Dr Martin Tsamenyi, Director and Professor of Law, Australian National Centre of Ocean Resources (ANCORS), University of Wollongong, Australia, facilitated the review and adoption of the Workshop Declaration, known as the 2008 Trondheim Declaration. He explained that it was not a legal and binding document but a broad identification of the issues discussed during the workshop and some of the important conclusions reached by the participants. Dr Tsamenyi then opened the floor for discussion and comments. The participants reviewed the proposed draft, made suggestions to strengthen it and ultimately approved it. The approved Declaration is attached as Appendix G.

148. Prior to the discussion of the Workshop Declaration, concluding remarks from the Chair of the MCS Network were given by Mr Dale Jones. Mr Jones discussed plans for the future, including the Third Global Fisheries Enforcement Training Workshop, to be held in Mozambique in 2010. He said the next business meeting of the IMCS Network would be likely to be held in Chile in 2009.

149. He drew on many of the remarks which had been made during the Trondheim Workshop to identify possible future activities by the Network, but he also emphasized the need to hear from members about the type of services and the subject matter they wanted the Network to address. He listed some of the potential topics, including technical advice, training, the generation of analytical work on trade flows, changes in vessel lists, RFMO compliance measures, cooperative agreements, discard issues, corruption and organized crime. Finally, he thanked everyone for their participation and wished them a safe journey.

150. Participants were asked to complete a workshop evaluation form prior to departure. A total of 59 completed survey forms were returned to the International Steering Committee, representing a response rate of 34 percent. In general terms, the workshop responses were overwhelmingly positive. A summary of the results, along with numerous suggestions for improvements, are included in Appendix H.

151. The workshop was concluded with a cultural performance and brought to a formal close.

## APPENDIX A

**Workshop agenda** (as distributed to the participants)



DIRECTORATE OF FISHERIES



### THE SECOND GLOBAL FISHERIES ENFORCEMENT TRAINING WORKSHOP

7 – 11 August, 2008  
Radisson SAS Royal Garden Hotel  
Trondheim, Norway

hosted by

The Norwegian Directorate of Fisheries

Co-sponsored by

International Monitoring, Control and Surveillance Network  
Food and Agriculture Organization of the United Nations and Nor-Fishing Foundation

#### **Wednesday 6 August: Registration**

**16.00–20.00 REGISTRATION**

**17.00–18.00 FACILITATORS' MEETING**

#### **Thursday morning, 7 August: Opening**

General Moderator of the Day: Ms Ivone Lichucha, National Director of Fisheries,  
Mozambique

*Opening Facilitator: Mr Alejandro Covarrubias, MCS Network Executive Secretary, Chile*

**08.00–09.00 REGISTRATION**

**09.00–09.30 WELCOMING REMARKS/OPENING CEREMONY**

Cultural Presentation

Mr Dale Jones, Chairman, International Monitoring, Control and Surveillance Network

Mr Peter Gullestad, Director General of Fisheries, Fisheries Directorate, Norway

Mr Jean-François Pulvenis de Séligny, Director, Fisheries and Aquaculture Economics and Policy  
Division (FIE), Food and Agriculture Organization of the United Nations (FAO)

**09.30–10.00 OPENING ADDRESS**

Ms Helga Pedersen, Minister of Fisheries and Coastal Affairs, Norwegian Ministry of Fisheries, Norway

**10.00–10.30 GROUP PHOTO**

**10.30–11.00 NETWORKING BREAK WITH TEA/COFFEE**

**Thursday morning, 7 August: Setting the stage**

*Facilitator: Mr Darius Campbell, Acting Head of Marine Strategy and Evidence Division, Department for Environment, Food and Rural Affairs, United Kingdom*

**11.10–11.30 The global status of IUU fishing: region, quantities, species and values**

Dr Ussif Rashid Sumaila, Director, Fisheries Economic Research Unit, University of British Columbia, Canada

**11.30–11.50 Status of MCS in Norway**

Mr Aksel R. Eikemo, Director, Resource Management Department, Fisheries Directorate, Norway

**11.50–12.20: Can illegal fishing in Africa be stopped? Experiences from southern Africa**

Mr Per Erik Bergh, Stop Illegal Fishing Program, Botswana

**12.20–12.35: Global extent of IUU fishing: a new study by MRAG**

Mr Darius Campbell, Acting Head of Marine Strategy and Evidence Division, Department for Environment, Food and Rural Affairs, United Kingdom

**12.35–14.00 LUNCH**

**Thursday afternoon, 7 August: Session 1 - MCS past, present and future**

*Facilitator: Mr Gerard Domingue, Compliance Officer, Indian Ocean Tuna Commission*

**14.00–14.20 Canada**

Mr Allan MacLean, Director of Conservation and Protection Maritimes Region, Department of Fisheries and Oceans, Canada

**14.20–14.40 South Africa**

Mr Nkosinathi Dana, Director (Special Investigation Unit), Department of Environmental Affairs & Tourism, South Africa

**14.40–15.00 Central America**

Mr Mario González Recinos, Licenciado, Coordinador Regional, SICA/OSPESCA, El Salvador

**15.00–15.30 Discussion, comments, questions and answers**

**15.30–16.00 TEA/COFFEE BREAK**

**Thursday afternoon, 7 August: Session 2 - Combating IUU fishing at sea**

*Facilitator: Mr Harm Koster, Director of Community Fisheries Control Agency, European Commission*

- 16.00–16.20 Methodology, surveillance, monitoring activities**  
C.F. Cheikh Ould Ahmed, Délégation a la Surveillance des Pêches et au Contrôle en Mar, République Islamique de Mauritanie
- 16.20–16.40 Transshipment and reefer**  
Mr Kevin Painter, Special Agent, Pacific Islands Division, NOAA Office of Law Enforcement, United States of America
- 16.40–17.00 At sea law enforcement**  
Mr Rohan Wilson, Senior Manager, Foreign Compliance, Fisheries Operations Branch, Australian Fisheries Management Authority, Australia
- 17.00–17.20 Flag State issues**  
Mr Chris German, Lieutenant Commander, United States of America Coast Guard, United States of America
- 17.20–17.50 Discussion, comments, questions**

**19:00 Reception hosted by the City of Trondheim at Archbishop's Palace**

**Friday morning, 8 August: Session 3 - Using technology as an intelligence tool**

General Moderator of the Day: Mr Todd Dubois, Assistant Director, NOAA Office of Law Enforcement, United States of America

*Facilitator: Mr Marcel Kroese, Director of Coastal and Environmental Services, South Africa*

- 09.00–09.20 VMS Inventory**  
Mr Gylfi Geirsson, Senior Commander, Icelandic Coast Guard, Iceland
- 09.20–09.40 Using technologies to monitor fisheries in international waters in the North East Atlantic**  
Mr Cephas Ralph, Director of Operations, Scottish Fisheries Protection Agency, Scotland
- 09.40–10.00 Using technology as an intelligence tool: non-satellite technology, the Philippine experience**  
Mr Marlito Guidote, Policy and Enforcement Advisor, USAID, Philippines
- 10.00–10.30 Discussion, comments, questions**
- 10.30–11.00 TEA/COFFEE BREAK**

**Friday morning, 8 August: Session 4 - IUU impacts on artisanal fisheries and related situations**

*Facilitator: Mr Åsmund Bjordal, Director, Centre for Development Cooperation in Fisheries, Norway*

- 11.00–11.15 Small-scale artisanal fisheries**  
Dr Aji Sularso, Director General of Surveillance and Enforcement of Ministry of Marine Affairs and Fisheries, Indonesia

- 11.15–11.30 Participatory MCS**  
Mr Ousman K. L. Drammeh, FAO Consultant, The Gambia
- 11.45–12.00 Surveillance activities in Angolan waters – relevance of MCS for small-scale fisheries**  
Mr Domingos Azevedo, National Fisheries and Aquaculture Surveillance Service (SNFA), Angola
- 12.00–12.30 Discussion, comments, questions**
- 12.30–14.00 LUNCH**

**Friday afternoon, 8 August: Session 5 - Port State measures**

*Facilitator: Mr Terje Løbach, Senior Legal Advisor, Fisheries Directorate, Norway*

- 14.00–14.20 Development global port State measures instrument**  
Mr Jean-François Pulvenis de Séligny, Director, Fisheries and Aquaculture Economics and Policy Division (FIE), FAO
- 14.20–14.40 Weighing technology and conversion factors**  
Mr Thordur Asgeirsson, Director General of Fisheries, Iceland
- 14.40–15.00 NEAFC experience with port State controls**  
Mr Martin Newman, Deputy Head of Unit, European Commission, PECCOE Chairman, NEAFC
- 15.00–15.30 Discussion, comments, questions**
- 15.30–16.00 TEA/COFFEE BREAK**

**Friday afternoon, 8 August: Session 6 - Deterring IUU in the North East Atlantic - Breaking the reefer link**

*Facilitator: Mr Gylfi Geirsson, Icelandic Coast Guard, Iceland*

**16.00–16.15 Introduction**

**16.15-17.00**

1. Mr Michael Quillinan –Desk Officer NEAFC, European Commission
2. Mr João Neves – MCS Advisor, Northeast Atlantic Fisheries Commission
3. Mr Hans-Olav Stensli – Senior Advisor, Ministry of Fisheries and Coastal Affairs, Norway

**17.00–17.30 Discussion, comments, questions**

**17.30–19.00 Ship visit with Norwegian Coast Guard vessel NOCGV Njord, and Scottish Fisheries Protection Agency Fishery Protection Vessel, FPV Jura**



## **Saturday 9 August: Departures for field trip options:**

### **09.00**

1. Vessel tour of fjords and outer islands
2. Tour of Røros – UNESCO World Heritage Site
3. Guided city tour of Trondheim

## **Sunday morning, 10 August: Session 7 - MCS national, regional and international cooperation**

General Moderator of the day: Mr Rohan Wilson, Senior Manager, Foreign Compliance, Australian Fisheries Management Authority, Australia

*Facilitator: Mr Mamadou Ball, Commission Sous-Régional des Pêches (CSR), The Gambia*

**09.00–09.20 Cooperation between agencies within national government**  
Mr Shaun Driscoll, National Manager of Investigation Services, New Zealand, Ministry of Fisheries, New Zealand

**09.20–09.40 Bilateral MCS agreements**  
Mr Bjarne Schultz, MCS Senior Advisor, Fisheries Directorate, Norway

**09.40–10.00 Building and sustaining regional fisheries surveillance cooperation –**  
Mr Jude Talma, Acting MCS Manager, Seychelles Fishing Authority, Seychelles

**10.00–10.30 Discussion, comments, questions**

**10.30–11.00 TEA/COFFEE BREAK**

## **Sunday morning, 10 August: Session 8 - Capacity building and skill development**

*Facilitator: Mr Peter Flewwelling, MCS Advisor, National Directorate of Fisheries Administration, Mozambique*

**11.00–11.20 Key elements of reporting, chain of custody and evidence handling**  
Ms Martina Sagapolu, Deputy Special Agent in Charge, Southwest Division, NOAA Office of Law Enforcement, United States of America

**11.20–11.40 Applications and investigative case studies utilizing fisheries forensics –**  
Mr Gregg Houghaboom, Assistant Special Agent in Charge, Southeast Division, NOAA Office of Law Enforcement, United States of America

**11.40–12.00 VMS training academy**  
Mr Douglas Watson, Manager, VMS Academy, Carpe Diem, United Kingdom

**12.00–12.30 Discussion, comments, questions**

**12.30–14.00 LUNCH**

## **Sunday afternoon, 10 August: Session 9 - Organized crime**

*Facilitator: Mr Paul Murphy, Senior Manager, Foreign Compliance, Australian Fisheries Management Authority, Australia*

### **14.00–14.30 Corruption**

Ms Eva Joly, Norwegian Agency for Development Corporation, Norway

### **14.30–15.00 Forensic accounting**

Ms Sara Block, Special Agent, Northeast Division, NOAA Office of Law Enforcement, United States of America

### **15.30–16.00 Discussion, comments, questions**

### **19.30 Conference dinner at Radisson SAS Royal Garden Hotel**

## **Monday morning, 11 August: Session 10 - Uses of law in combating IUU**

General Moderator of the Day: Ms Vicki Nomura, Special Agent in Charge, Northwest Region, NOAA Office of Law Enforcement, United States of America

*Facilitator: Ms Eileen Sobeck, Deputy Assistant Attorney General for the Environment and Natural Resources Division Department of Justice, United States of America*

### **09.00–09.50 Panel discussion on a broad range of legal issues regarding IUU**

1. Dr Heiner Méndez – Legal Advisor to INCOPECSA, Costa Rica
2. Mr Peter W. Graham – Director, Policy and Legal Division, Ministry of Marine Resources, Cook Islands
3. Mr Manuel Castiano – Chief of Legal, MCS Department, Department of National Fisheries Administration, Ministry of Fisheries, Mozambique
4. Ms Meggan Engelke-Ros – Attorney, General Counsel for Enforcement Litigation, NOAA, United States of America

### **09.50–10.30 Discussion, comments, questions**

### **10.30–11.00 TEA/COFFEE BREAK**

## **Monday morning, 11 August: Session 11 - Future of IUU deterrence**

*Facilitator: Ms Michele Kuruc, Senior Fisheries Industry Officer, FAO*

### **11.00–11.20 Ocean to market tracking**

Mr Jeff Ray, Special Agent, Northeast Region, NOAA Office of Law Enforcement, United States of America

### **11.20–11.40 IUU fishing – the market as an agent of control**

Mr Mike Mitchell, Young's Seafood

### **11.40–12.00 Engaging non-governmental stakeholders, including consumers, to assist in combating IUU fishing**

Mr Alistair Graham, World Wide Fund for Nature, Australia

### **12.00–12.30 Discussion, comments, questions**

**12.30–14.00** LUNCH

**Monday afternoon, 11 August: Review of draft workshop statement**

*Facilitator: Dr Martin Tsaymeni, Professor of Law, Director Centre for Maritime Policy,  
University of Wollongong, Australia*

**14.00–15.00** Workshop statement

**15.00–16.00** Closing ceremony – Cultural program  
Workshop slide show  
Closing comments – Mr Dale Jones, Chair, International MCS Network

**16.00** End of conference

## APPENDIX B

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## APPENDIX C

### **Opening speech by Mr Peter Gullestad, Director General of Fisheries, Directorate of Fisheries, Norway**

It's a great pleasure for me to welcome you all to Norway and the historic city of Trondheim, and to five days of good and promising work. I am very pleased to learn that the organizers have been able to gather 180 participants from 52 countries from all over the world for this workshop.

IUU-fishing and related activities – like transporting, trading and buying of IUU fish – is one of the greatest threats to sustainable fisheries. To me it is important to stress that IUU-fishing is not only something that is carried out by obscure vessels, operating under flag of convenience in far away places. On the contrary, we all have to admit that IUU-fishing represents a problem that may occur much closer to home. IUU is by nature both a local, national, regional and a global problem, and although it can only be finally solved through international cooperation, much is to be done at the local and national level.

The International MCS Network has combating IUU-fishing as a top priority. In the struggle to reduce IUU-activity it is important to establish various types of networks – and a general idea must be to use these forums as learning points. The International MCS Network gives countries an opportunity to share experiences and methods that may benefit other members. Workshops like this, is therefore essential.

The main focus of this workshop will be on combating IUU activities in a global perspective. I hope we will be presented with ideas and tools that all countries can benefit from, no matter what kind of IUU problems they face, or their level of MCS capacity.

Norway shares the deep concern every responsible fishing nation has about IUU-fishing. It was therefore a natural step for us to volunteer as local host for the next global workshop – following the very successful first workshop in Kuala Lumpur in 2005. An international organizing committee was put together last year and has been working together with a broad range of sponsors and other contributors in order to realise this workshop. I would like to take this opportunity to thank the committee for all their efforts and for putting together a very impressive programme.

Why Trondheim? When we started to think about hosting the next workshop, Trondheim quickly came to mind. Trondheim is easy accessible and is the hometown to one of the world's biggest technical trade shows for the fishing industry. I shall not suppress the fact that besides being Director General of Fisheries, I am also President of the Nor-Fishing Foundation responsible for organizing the trade show – which you are all heartily invited to visit next week. This would be an excellent opportunity to be updated on the latest technological development in the fishing industry in our part of the world.

Well, so much for the advertising of the trade show. I wish you all good luck with the workshop and not least with your important work when you return home.

Enjoy your stay in Trondheim and thank you for your attention.



## APPENDIX D

### **Opening speech by Her Excellency, Helga Pedersen, Minister of Fisheries and Coastal Affairs, Norway**

Ladies and gentlemen,

Welcome to the Second Global Fisheries Enforcement Training Workshop! It is with great pleasure I see that this forum for cooperation and exchange of ideas is being continued in the shape of a new workshop. The first one was successfully held in Kuala Lumpur and I hope the second will be as productive as the Malaysian one.

As you know, the workshop forms part of the work of the MCS Network. The MCS Network was established to improve the efficiency and effectiveness of fisheries-related MCS activities. One of the keys to the combating of IUU fishing and especially the transnational aspect of IUU fishing is information-sharing and cooperation across national borders. The diversity of participants from all the continents of the world really proves that it is possible to cooperate and leave differences aside. In the fight against IUU fishing, we all have the same objective. We want our children and grandchildren to experience and enjoy the richness and diversity of living marine resources. As representatives of governments, we also want the revenues derived from fisheries resources to benefit the general welfare of our respective countries. In other words, we cannot, and will not, accept the looting of our future food and income for a few individuals' personal gain at the expense of our societies' need for food and economic security. The fight against IUU fishing is therefore important and must not be taken lightly.

The effects of IUU fishing on coastal states and communities can be seen throughout the world. Developing countries are especially hurt, since IUU fishing deprives these communities of an important opportunity to develop their economies. Markets, small and large, are highly affected by the availability of IUU catch.

IUU fishing leads to higher fish mortality, and quotas for regulated fishing are consequently reduced - legal fishing is hurt, as are employment prospects in coastal communities.

For us in the stewardship role, IUU fishing makes effective regulation very difficult, and it undermines sustainable management.

Perhaps worst are the long-term effects on ecosystems, with the ultimate result of IUU fishing being a complete collapse of fish stocks. Experience shows us that once a stock collapses, we have no guarantee that it will ever recover.

In my view, there are three main challenges that must be met in order to produce reductions in IUU fishing. For the sake of simplicity, we can divide these into flag state, coastal state, and port and market state issues.

These challenges illustrate both the complexity of the IUU fishing issue and why there has never been a quick fix to solve the problem.

Firstly, flag states must ensure that their vessels comply with the aims of sustainable and responsible fishing, including distant-fishing and fishing in international waters. According to the law of the sea, the flag state bears the primary responsibility for regulating their vessels in international waters. The use of flags of convenience undermines this principle in the fisheries. By web or fax, a vessel's master or owner today can change the flag of the vessel in a matter of hours (although this is forbidden in open waters under international law).

Secondly, any coastal state must regulate, monitor and enforce the rules of fishing within its jurisdiction. In addition, coastal states must take responsibility for cooperating with other coastal states in adjacent international waters.

Thirdly, all port states must verify the legality of fish cargo that is to be landed in their ports. By demanding such verification from the captain of the vessel and the flag state, landing of illegally caught fish will be made more difficult. Such measures were implemented in the North East Atlantic last year, with great success.

Lastly, all states that import fish and fish products must demand similar documentation from exporters so that exporters are required to document that their products have been harvested from legal fishing.

From the brief outline above, it might still not be evident why governments have not been universally successful in stopping IUU. To grasp the problem, we must look at IUU operators as rational actors that utilize all available loopholes in national jurisdictions and international regimes, and take advantage of lacking governance capabilities.

When discussing the topic of IUU fishing, we tend to think about our own resources without having a global view of the problem. Norway, in cooperation with a number of other countries, managed to reduce IUU fishing of cod in the Barents Sea by 50 percent from 2006 to 2007. Intensified MCS activity and the application of NEAFC's regime of Port State Measures have undoubtedly contributed to this decrease. Some of the effects of this reduction will have a long-term benefit; many IUU vessels have been scrapped and IUU fishing is less cost-effective for the operators involved.

However, we have indications that the organized groups operating in these waters are changing their operational patterns. For example, we have seen that these vessels are now operating more often in the West African area, in the Black Sea and other parts of the world. In other words, some IUU vessels did not disappear but rather moved their destructive activity elsewhere.

Cooperating with port states has been given high priority. First, we concentrated on working with the port states of North-Western Europe where most IUU cod landings from the Barents Sea took place. This produced results since a number of vessels were shown to be involved in illegal activity. The IUU vessels then went to Southern Europe to land their cargoes. We accordingly extended our cooperation with Southern European countries and the states in the eastern Baltic. The next step was to cooperate with port states in North Africa and Asia, thus depriving many IUU vessels from landing there.

In tandem with such bilateral cooperation, the laborious task of building an international regime of Port State Measures in the fisheries began. Again, our initial effort was in the North East Atlantic, where, from 1 May 2007, the North East Atlantic Fisheries Commission (NEAFC) introduced a robust scheme for Port State Measures. This has been a tremendous success, since no vessel today can land frozen fish in any port in the convention area without verification of legality by the flag state.

Port State Measures have often been called the last resort to marine problems, since vessels ultimately are dependent upon access to port for landing and logistical services. In this respect, it is a cost-effective approach. Through NEAFC's new enforcement control scheme we have changed the rules of the game. How the IUU networks will organize in the future is unclear. But we do believe that the cross-border cooperation demonstrated by the NEAFC countries must be a potential tool for other regions of the world too. This is why Norway supports the work on a global regime for Port State Measures in the fisheries. Establishing a global legal framework which effectively closes the ports to vessels involved in IUU fishing, will be a very powerful and important measure against this activity.

In this context, I also welcome the initiative taken by the EU to stop IUU fish from entering its markets through the new EU regulation establishing a Community-wide system to prevent, deter and eliminate IUU fishing.

Developing states are affected the most by IUU fishing. We believe that we have a duty to support all countries in the fight against this activity. Keeping in mind that large-scale and organized IUU fishing is operated through transnational criminal networks, we believe that by helping others, we are participating in a global effort which is beneficial for all coastal states involved. Against this background, Norway has established close ties with North and West African countries. The global scope of the activity makes it necessary to join forces and cooperate across boundaries and between continents.

There are many issues to address in the context of IUU fishing. The wide range of topics in this workshop illustrates that fact. I believe that this seminar is an important step towards a unified and global mutual effort in combating this serious and highly destructive activity.

And with these words, I would like to declare the Second Global Fisheries Enforcement Training Workshop opened.

Thank you for your attention, and good luck with the workshop!

**APPENDIX E**



## APPENDIX F

### **2008 Trondheim Declaration (from the Second Global Fisheries Enforcement Training Workshop)**

Specialists in fisheries monitoring, control and surveillance (MCS) from almost 50 countries gathered in Trondheim, Norway, 7 – 11 August 2008 to examine the continuing threat of illegal, unreported and unregulated (IUU) fishing. IUU and its related activities pose costly problems for most countries and revised estimates put those costs as high USD 10–23.5 billion annually, worldwide. By its nature, IUU is complex and can be driven by high profits, growing global markets for fish and overcapacity in the fishing industry. Weak governance systems enable IUU activities to occur, threatening the ecosystems and communities which depend on them.

To tackle the IUU problem, the nearly 200 practitioners at the Second Global Fisheries Enforcement Training Workshop discussed pragmatic solutions for eliminating IUU fishing, using actual situations covering a broad array of topics. These topics included case studies from many nations, applications of sophisticated technologies and ingeniously simple low tech approaches, the role of transshipment, port state measures, legal support, organized crime, corruption and more.

From their discussions, the participants:

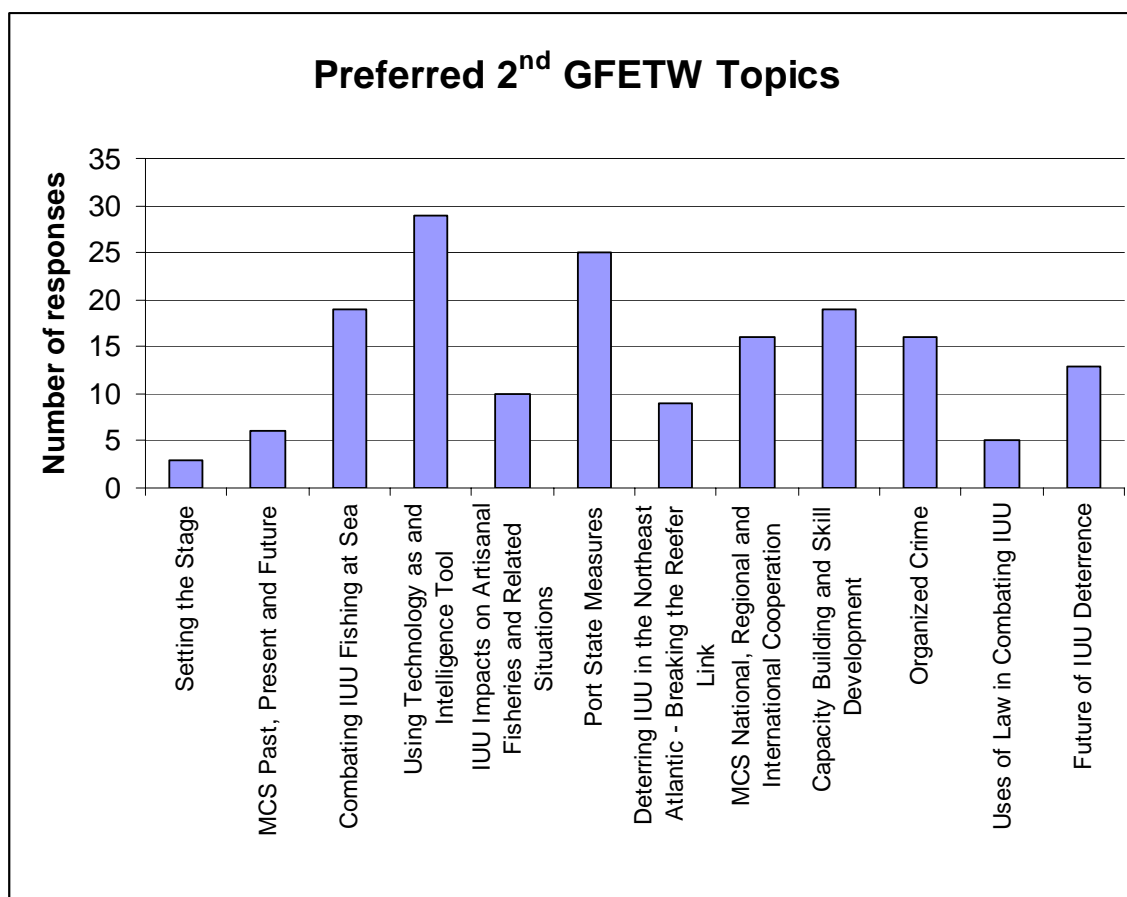
1. Agreed that IUU fishing is a global and transnational phenomenon which poses a serious threat to the sustainability of fish stocks, livelihoods of communities and food security.
2. Recognized that common problems require cooperative solutions. Cooperative MCS efforts at all levels, local, national, subregional, regional and international, are needed.
3. Noted the rising costs of MCS, including fuel, technology, and infrastructure, increases the need to work together.
4. Called for increased training and capacity building, particularly for developing countries, which are essential to ensure effective implementation of MCS programs.
5. Encouraged political commitment to adopt and implement appropriate legislation and international MCS best practice, so both vessels and nationals can be held to account for involvement in IUU fishing activities regardless of where in the world it occurs.

The participants recognized the need for future opportunities for this type of productive, international collaboration. And welcome the initiation of plans for a 2010 Third Global Fisheries Enforcement Training Workshop. Mozambique has graciously offered to act as host.

The participants endorsed the International MCS Network's renewed commitment to continuing its core services designed to support MCS organizations and combat IUU fishing. These services include facilitating exchange of experiences, information exchange among MCS organizations, and fostering cooperative relationships individually, bilaterally and multi-laterally. The participants encourage all countries to join the MCS Network, which is voluntary in nature and cost free. Applications to join the Network and more information about its activities and services can be found on its web site, [www.imcsnet.org](http://www.imcsnet.org).

The Training Workshop was hosted by the Directorate of Fisheries, Government of Norway, a strong anti-IUU advocate, and organized by the International MCS Network, which was formed to provide a forum where institutions and organizations charged with MCS responsibilities could come together in a collaborative spirit to address these significant problems from an operational perspective. Underscoring the workshop's international character, the Food and Agriculture Organization of the United Nations also served as a co-sponsor, along with other organizations which provided financial and logistical support.





Based on the survey results, the topics appeared to have covered the wide spectrum of participants' interests, as all topics were preferred by some. There was a clear preference for topics covering the operational efforts, with the top scores for "Using Technology as an Intelligence Tool" (17 percent), "Port State Measures" (15 percent), "Capacity Building and Skill Development" (11percent) and "Combating IUU Fishing at Sea" (11 percent).

The survey was intended to help the International MCS Network meet the changing and growing needs of the MCS community. The second question "What additional topics would be helpful to you and your country?" was intended to get at that information. Many suggestions were articulated by the respondents and are replicated here in no specific order.

- Practical application of MCS tools, training and surveillance, especially for developing countries that do not have access to the same amount of financial resources
- Advise developing countries on how to manage their resources and give examples of developing countries that have been successful in this
- MCS technology usage at sea but also within your own country to monitor the nationals, owners, companies, marketing bodies, and agents-incorporated
- More explanation on how to deal with small-scale artisanal fisheries
- More information on how to stop organized crime. Give examples of success stories in combating/controlling organized crime
- More information on capacity building and skill development
- More information on the uses of forensics accounting in investigations
- Give examples of regional fisheries management organizations' priorities for regulating the unregulated fisheries. How can we all cooperate with different priorities?
- More information on the use of technology as an intelligence tool

- Go over the law of the sea and give instruction on how to translate it into layman’s terms so that the general public can understand
- Go over specific regional examples of fishing problems (could be done when people break into groups of regions). For example, EU regional IUU, Sturgeon fishing in the Black Sea or the Danube River
- A day focused on a specific region or country that is providing a haven for IUU fishing. (i.e. focus on Spain for logistical and financial support of vessel operations and China as a launderer of products in the processing phase)
- How to identify the true owners of IUU vessels and the impacts of IUU on the economy and biology
- Further information on the FAO meetings because not all countries attend them
- More information on the traceability from sea to market
- Give specific real world examples of illegal fishing
- Group discussion to identify developing countries’ needs and then address them
- Training on development of risk assessment
- Identify the “holes” in regulations and explain the need for enforcement at sea. Look at specific regional examples where the holes have been successfully filled as well as where they are still open. Make concrete suggestions on how to fix them
- More info on VMS technology
  - Training or demonstration of fleet tracking by VMS
  - Recognizable/typical patterns to be seen on VMS
  - The expansion of the equipment and how to more efficiently manage it, such as declarations, landing reports and linkage to sensors and video

In trying to find the most effective and productive way to conduct the workshop, the format of the workshop has changed over time due to the suggestions of the participants. We continue to seek to maximize the productivity during the workshop through information from presentations, idea exchange through both presentations and one to one discussions, and the building of MCS connections around the world through networking. The third question “What did you think of the workshop format? Too long? Too short? Please Comment” was intended to get at that goal.

The collective response to the workshop overall was positive. Several respondents mentioned the positive nature of the field trip, in both allowing a break and also allowing informal networking opportunities. Only two respondents out of 59 felt it was a bit too long in terms of total duration. And four (7 percent) felt the time allotted to each presenter was not sufficient and longer presentations would have allowed for a more thorough analysis of an individual topic. However, the strict adherence to time by facilitators and presenters was appreciated by the audience.

The respondents approved of the panel discussion format. They recognized the format as an opportunity for the entire audience to weigh in, allowing perspectives from around the globe to be presented. The usage of the panel discussion time to discuss topics other than the session was met with stern disapproval by those who mentioned it. One respondent suggested the use of “Town Hall” type meetings to encourage more exchange.

The results from the First Global Fisheries Enforcement Training Workshop, held in Kuala Lumpur Malaysia, indicated more time was needed for networking. The format of frequent and long coffee breaks as well as community style lunches was intended to allow time for this. While many felt that the opportunities for networking were there, a few respondents indicated that a more facilitated networking structure could help overcome innate shyness and the tendency for people to congregate with those they already knew. A few constructive suggestions were put forth. (1) Creating networking groups based on job type; (2) Small discussion groups by region to discuss how to better manage certain issues; (3) Try a “speed dating” approach where a participant would spend some time talking to



each of the other meeting participants. This would afford the opportunity to hear first hand what the person did and where, encouraging more integration in the informal networking sessions.

The International MCS Network currently provides, or is beginning to provide, numerous products. For more information please go to [www.imcsnet.org](http://www.imcsnet.org). When asked what additional products the International MCS Network could provide that would be of assistance, numerous responses were received.

- Establish an exchange program with developing countries during which we can assess each other's needs and conduct training relative to those needs (done before the next workshop)
- Interactive internet-based connection between countries so as to have access to each others' databases
- Directory and description of offices of MCS network with direct mandates and programs on MCS in their respective countries
- Operational training of MCS personnel
- Pre-workshop info on developed country tools/costs and list of developing country challenges by sector (law, assets, regional co-op, and training)
- Personal loan programs where investigators/inspectors assist developing nations with training, equipment, and on site expertise (both technical and investigative)
- Atlas of endangered species and legal procedures for combating IUU
- Make a list of training institutions, trainers and/or experts in the field of training so countries can chose training they need in MCS
- Contact list with pictures for enhanced information sharing
- Free information on VMS and new technologies

When asked for any additional comments to improve the conference a wide range of input was received.

- More technical presentation applicable to field agents/inspectors providing more specific, practical information
- The web site should be more user-friendly and the communication with the possible applicants should be improved
- This workshop needs to be a regular event
- There should have been more representation from the South East Asian and Central American countries
- Harbor Masters of ports where IUU vessels are likely to call should be invited to future workshops to help deter IUU vessels landing their catch
- Some thought should be given to the establishment of an intelligence system (pointer at this time) as a resource for all members
- Consider to reduce issues, focus sharper, dig deeper in specialized sessions
- Too much emphasis on assets in developed countries
- Fisheries managers can benefit from participating in such workshops because they will better appreciate the importance of MCS in sustainable fisheries management and this will compel them to offer more support to MCS, especially in budget issues
- Use actual workshops to explore investigation techniques and provide actual detailed training
- Do a presentation of the most egregious IUU violators and how to handle the issues globally
- Several speakers from one country should be avoided

We thank the participants who took the time to provide comments and input on the future of both the International MCS Network and the third Global Fisheries Enforcement Training Workshop.



**This document contains the report of the second Global Fisheries Enforcement Training Workshop (GFETW) which was held in Trondheim, Norway, from 7 to 11 August 2008. The workshop was hosted by the Directorate of Fisheries, Government of Norway, and organized by the International Monitoring, Control and Surveillance (MCS) Network. The GFETW was co-sponsored by the Food and Agriculture Organization of the United Nations (FAO), the National Oceanic and Atmospheric Administration of the United States of America (NOAA) and the Nor-Fishing Foundation, and supported by the Australian Agency for International Development (AusAID), the United Kingdom's Department for International Development (DFID), the Indian Ocean Commission (IOC), the Forum Fisheries Agency (FFA), the Norwegian Ministry of Foreign Affairs, the City of Trondheim, the Norwegian Pelagic Sales Association and the Norges Råfisklag. The unedited presentations can be found on the CD-ROM included in this publication.**

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