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| <b>WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAFC)</b>                     |
| <b>Recommendation WECAFC/XVIII/2022/2 on effectively combatting IUU fishing</b> |

**Cover note**

IUU fishing is considered a major threat to sustainable fisheries management in the Wider Caribbean Region, undermining regional efforts to conserve and manage fish stocks. In 2009, It was estimated that 20–30 percent of total reported catches in the WECAFC area originate from illegal and unreported catches, representing a value of 450 to 750 million USD annually.<sup>1</sup>

Overall, there has been a general decline in reported fish capture production in the Western Central Atlantic region from the 1980s fisheries production of 2.4 million tonnes to around 1.5 million tonnes in 2016 to date, with the 2015 to 2018 showing an average production of 1.47 million tonnes, live weight<sup>2</sup>. It has been reported that, in this region, the stocks of many shared and highly migratory species continue to be heavily exploited and increasingly targeted for harvest even though they are already depleted well below biomasses that could achieve maximum sustainable yields.

WECAFC Members need to strengthen their cooperation to promote the effective conservation, management and development of the living marine resources of the area of competence of the Commission, which is the final objective of the organization.

WECAFC Members recognize that the sustainable management of the fish stocks should lead to increased employment opportunities and income for their fishing industry and local communities. WECAFC Members are also cognizant of the positive effects that sound administrative, legal and scientific frameworks bring to the fisheries together with enhanced cooperation between and among Regional Fishery Management Organizations/Regional Fishery Bodies. WECAFC Members note that national administrations need to strike the right balance the resources allocated for access to the fisheries with the

<sup>1</sup> From Draft Recommendation WECAF/17/2018/1 „on the marking and identification of fishing vessels in the WECAFC area“ – as these only available estimates are based on the Agnew et al. 2009 estimates, these estimates could be outdated.

<sup>2</sup> FAO (2018). Report of the first meeting of the regional working group on illegal, unreported and unregulated (IUU) fishing. Bridgetown, Barbados. FAO Fisheries and Aquaculture Report. No. 1190.

resources allocated to fulfil Monitoring Control and Surveillance obligations as part of their flag states' responsibilities as they are two sides of the same coin.

WECAFC Members should give the due consideration to the possibility of a situation where their fisheries development policies can become stifled and thus lead to IUU fishing. In this regard, WECAFC is called to play a key role to promote the necessary coordination to address the conservation of the fishery resources.

WECAFC Regional Working Group on IUU Fishing (RWG-IUU) met virtually on 8-9 September 2020. Members shared information on progress toward implementation of the WECAFC17 recommendations and discussed WECAFC members' readiness to implement the Regional Plan of Action to Prevent, Deter and Eliminate IUU Fishing (RPOA-IUU). In light of these discussions and the updated work plan of the RWG-IUU, and mindful that IUU fishing and the often-attendant organized crime harms legitimate fishing activities and livelihoods, jeopardizes food and economic security, benefits transnational crime, distorts markets, contributes to human trafficking, and undermines ongoing efforts to implement sustainable fisheries policies, the Western Central Atlantic Fishery Commission (WECAFC),

#### 1. Stepping up the fight against IUU activities

*REITERATING* the importance of strengthening national legislation for effectively combatting IUU fishing, to optimize benefits and to effectively discharge responsibilities and obligations under international fisheries management instruments;

*ADOPTS* in conformity with Article 6 of the WECAFC Revised Statutes this RECOMMENDATION that:

The WECAFC Secretariat and the RWG-IUU should develop a report format and process that will allow WECAFC to monitor the progress of implementation of this and all other RWG-IUU recommendations that have been endorsed by WECAFC.

#### 2. Transshipment

*RECALLING* the Recommendation WECAFC/17/2019/15 supporting developments towards arrangements for an effective system for enhanced surveillance of transshipment operations at sea and enforcement of relevant legislation, including effective information-sharing among WECAFC Members and with other States and international organizations, aimed at strengthening the monitoring, control and surveillance network for fisheries-related activities;

*NOTING* with concern, that while some countries have transshipment regulations in place, the limited implementation of the regulatory framework addressing transshipment and landing activities in port and at sea can increase the risk of fish and fish products derived from IUU fishing entering the supply chain;

*NOTING* that the Thirty-fourth session of COFI in 2021 called upon FAO to convene an Expert Consultation to develop draft voluntary guidelines for the regulation, monitoring and control of transshipment, followed by a member-led negotiation process through the convening of a Technical Consultation to finalise and adopt the voluntary guidelines for endorsement by the Thirty-fifth session of COFI and subsequent reporting to the FAO Conference;

*CONCERNED* about evidence that transshipment activities in the Caribbean also support other criminal activities such as smuggling of narcotics and weapons as well as violations of labor laws and human rights;

*ADOPTS* in conformity with Article 6 of the WECAFC Revised Statutes thes RECOMMENDATION that:

WECAFC Members should support the process towards development and implementation of international guidelines on the management (regulation, monitoring and control) of transshipment;

WECAFC Members should seek to develop and effectively implement measures in the WECAFC region consistent with the adopted FAO guidelines for the effective management (regulation, monitoring and control) of transshipment so as to minimize the risk of fish and fish products derived from IUU fishing entering national and international markets and that this is without prejudice to the existing international obligations applicable to individual WECAFC Members as flag, port, coastal and market States to prevent, deter and eliminate IUU fishing.

### **3. Effective information-sharing for combatting IUU**

*NOTING* the existing obligation by flag States to exercise effective jurisdiction and control over their vessels;

*RECALLING* the importance of regional information-sharing and cooperation, especially on the identities and operations of fishing and fishing support vessels operating in the WECAFC region, to support countries in effectively meeting their international responsibilities as flag, port, coastal and market States to prevent, deter and eliminate IUU fishing;

*NOTING* that the Second Meeting of the Parties to the Agreement on Port State Measures (MOP2) requested that: (1) the PSMA Global Information Exchange System (GIES) be operationalized as soon as possible for an effective implementation of the PSMA; (2) that a prototype be prepared for the Third Meeting of the Technical Working Group on Information Exchange (TWG-IE), and that the meeting participants agreed that active participation by States in this initiative can be an important element to maximize the potential of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record) to support the functioning of the GIES;

*NOTING* that several WECAFC Members are Parties to the PSMA and the second meeting of the Parties to the PSMA noted that the effective implementation of the PSMA requires further uptake of the Agreement and called on those that have not yet adhered to the PSMA to do so;

*NOTING* that WECAFC Members who are already Party to the PSMA should submit to FAO information on their designated ports and national contact points, as per Article 7 and Article 16 (3) of PSMA, while those who are not Party may choose to designate a national contact point and communicate it to FAO for the purposes of exchange of information under the PSMA;

*FURTHER NOTING* that WECAFC Members that are Parties to the PSMA are to start exchanging daily inspection reports in 2021 with other Parties of the PSMA, and that inspection reports include identity of the vessels inspected (under a foreign flag) and that this identity has to be verified, to the greatest extent possible

*NOTING ALSO* that a significant portion of the fishing vessels in the region are small-scale fishing vessels with a length overall of less than 12 meters and most catches are taken by a variety of these small-scale vessels;

*MINDFUL* that IUU fishing and fishing related activities can be carried out by both industrial-scale vessels and the large number of small-scale vessels throughout the region;

*NOTING* the new developments on the Global Record in order to facilitate multi-tenancy functionality allowing national and regional records to be built from the basis of the Global Record system, adapted to fit the specific requirements of the region at reduced cost and maintenance in comparison to the development of a new system;

*FURTHER RECALLING* the importance of IMO numbers for the identification of fishing vessels and for identifying IUU fishing activities and for implementing appropriate measures, and that WECAFC Members should ensure that its flagged motorized fishing vessels, refrigerated transport vessels and supply vessels down to a size limit of 12 meters Length Overall (LOA) and authorized to operate outside waters under national jurisdiction, obtain an IMO number and use it as a mark for identification. The IMO number should be marked either on the stern or stern quarter, with the name and port of registry, or on the side of the hull or superstructure.

*ADOPTS* in conformity with Article 6 of the WECAFC Revised Statutes this RECOMMENDATION that WECAFC Members that are not Parties to the PSMA, consider joining the Agreement to contribute effectively to the global efforts for combatting IUU activities;

WECAFC IUU WG works towards identifying effective mechanisms for information-sharing, consistent with existing approaches and appropriate confidentiality requirements to include fishing vessel related information, such as their beneficial owners, vessel identifiers operations, authorizations, histories, and compliance to improve monitoring, control and surveillance operations, verification of information and risk assessment to prevent, deter and eliminate IUU fishing in the region and beyond; to complement individual WECAFC Members activities such mechanisms should also be built at the regional level. To complement individual WECAFC Member activities, such mechanisms should also be built at the regional level, including leveraging the DCRF Task III.2 on Vessel registries and submitting corresponding data to the WECAFIS regional database.