
FAO/NORWAY GOVERNMENT COOPERATIVE PROGRAMME – GCP/INT/648/NOR⁷⁸

REGIONAL WORKSHOP ON
FISHERIES MONITORING, CONTROL AND SURVEILLANCE
Kuala Lumpur and Kuala Terengganu, Malaysia, 29 June – 3 July 1998

INSPECTION PROCEDURES: AN INTRODUCTION

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These notes cover:

- ∅ Objectives and Activities
- ∅ Surveillance Facilities
- ∅ Legal basis and Rules of Procedure
- ∅ Information
- ∅ Collection of Evidence
 - Pre-boarding (at sea)
 - Boarding (at sea)
- ∅ Indicators of fishing (past, present or future)
- ∅ Presentation of Evidence
- ∅ Inspection procedures on land
- ∅ Key areas to be inspected
- ∅ Inspection Manual and Training

OBJECTIVE

To implement the provisions of the fisheries law and deter activities which are in contravention of that law.

ACTIVITIES

1. The inspection of licensed vessels to verify compliance with the terms and conditions of licensing.
2. The collection of evidence from vessels suspected of operating in contravention of the fisheries law.
3. The apprehension and escort of such vessels.

CIVILIAN OR MILITARY?

78. Programme of Assistance to developing countries for the implementation of the *Code of Conduct for Responsible Fisheries* – Sub-programme C: Assistance to developing countries for upgrading their capabilities in monitoring, control and surveillance (MCS)

79. MRAG Americas Inc., 5445 Mariner St., Suite 303, Tampa FA 33609, USA

*Technical papers presented at the Regional Workshop on Fisheries Monitoring, Control and Surveillance.
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SURVEILLANCE FACILITIES

At Sea:

- ☒ Patrol vessel and boarding craft
- ☒ Aircraft
- ☒ On-board Observers
- ☒ Coastal radar and VMS

On Land:

- ☒ Harbour control office
- ☒ Coastal patrol
- ☒ Facilities for discharge of cargo
- ☒ Cold store

LEGAL BASIS AND RULES OF PROCEDURE

Prerequisite: Legislation must be clear and transparent.

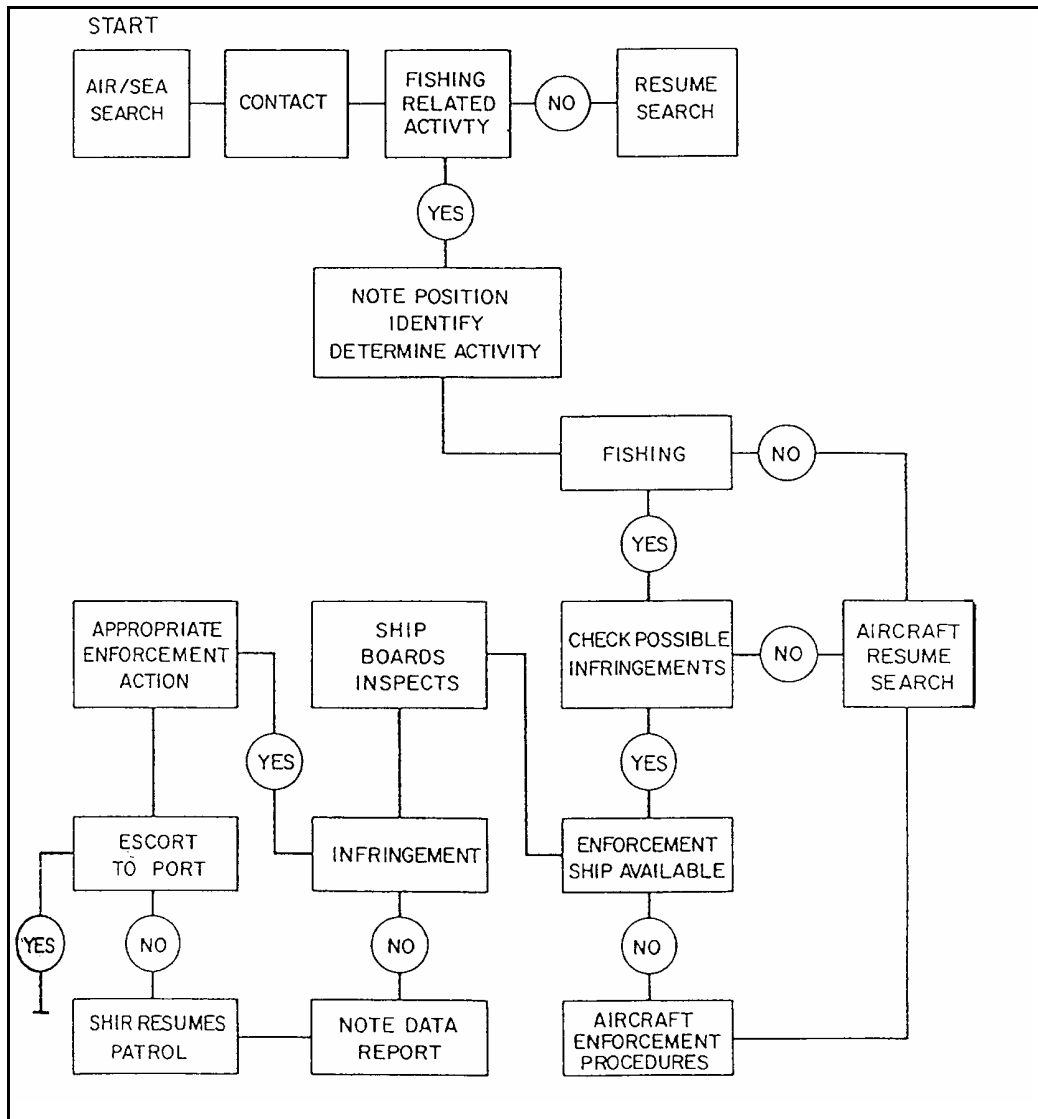
The legal authority of Government officers must be clearly established

Rules of Procedure:

- ☒ Established chain of command
- ☒ Communications protocol
- ☒ Identification of authorized Fishery Officers
- ☒ Investigative boarding
- ☒ Boarding to apprehend
- ☒ Inspection procedures
- ☒ Escort procedures
- ☒ Safety procedures
- ☒ Rights of innocent passage
- ☒ Hot pursuit

Activity flow chart (e.g.,FAO Manual)

Flow chart: Surveillance/enforcement operation



COLLECTION OF EVIDENCE – PRE-BOARDING (AT SEA)

- € Fishing vessel's position
- € Patrol vessel's position
- € Fishing vessel's course and speed, including any changes; make radar plots, if possible
- € Establish radio contact with fishing vessel

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Licensed vessel?

- ☒ Make arrangements for investigative boarding

Unlicensed vessel?

- ☒ Look for indicators of fishing
- ☒ Make arrangements for boarding to apprehend

INFORMATION

Timely availability of information on:

- ☒ Vessel locations
- ☒ Licensed vessel identification
- ☒ License status, terms and conditions
- ☒ Vessel cargo

COLLECTION OF EVIDENCE - BOARDING (AT SEA)

- ☒ Present credentials
- ☒ Establish on-going radio contact with Patrol Vessel
- ☒ Use translation cards if necessary

Licensed vessel

- ☒ Check licence details
- ☒ Check logbook
- ☒ Check fishing activity is in accordance with terms and conditions of licence
- ☒ Discuss fishing conditions with vessel Master

Unlicensed vessel

- ☒ Look for indicators of fishing
 - ☒ Take notes, photographs and video
 - ☒ Collect evidence in key areas
 - ☒ Caution officers
 - ☒ Take statements if appropriate
 - ☒ Apprehend and escort to port as necessary
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INDICATORS OF FISHING (PAST, PRESENT OR FUTURE)

- €Vessel position, course and speed
- €Activity on deck associated with fishing
- €Nets, lines, traps, buoys, etc., in the water
- €Trawl nets and doors rigged
- €Baited hooks, traps, or bait ready for use
- €Bridge log
- €Fisheries logbook
- €GPS or paper log of recent fishing positions
- €Factory records
- €Fishing gear deployed in water or matches other gear on the vessel
- €Signals from radio beacons on deployed gear
- €Fresh fish or fish waste on board
- €Fish being frozen
- €Processing plant effluent
- €Small boat activity
- €Fish and/or offal in the factory or the water
- €Sharks feeding nearby
- €Fish and/or their products which occur in the EEZ are stowed on board

PRESENTATION OF EVIDENCE

- €Timely preparation of inspection report
- €Briefing on court procedures
- €Establishment of the facts (vessel positions, etc.)
- €Collation and presentation of statements
- €Presentation of photographic or video evidence

INSPECTION PROCEDURES ON LAND

- €Verify bridge, navigation and processing logs
 - €Verify fisheries logbook
 - €Verify hold contents; unload if necessary
 - €Examine fishing gear (mesh measurements, etc.)
 - €Caution officers
 - €Take statements
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KEY AREAS TO BE INSPECTED

- ☒ Bridge/wheelhouse
- ☒ Fishing decks
- ☒ Working and factory areas
- ☒ Freezing rooms and freezers
- ☒ Refrigerated and other holds

INSPECTION MANUAL AND TRAINING

Contents

- ☒ Directory of vessels (descriptions and photographs)
- ☒ Fisheries legislation and guidance documentation
- ☒ Licensing procedures
- ☒ Tactics for fisheries patrol
- ☒ Boarding procedures
- ☒ Safety procedures
- ☒ Pre-prepared and translated questions, statements and warnings
- ☒ Inspection procedures (at sea and in port)
- ☒ Species identification
- ☒ Collection of evidence
- ☒ Procedure for caution and interview of suspects
- ☒ Preparation and presentation of evidence

Input from:

- ☒ Fisheries authority
- ☒ Licensing authority
- ☒ Coastguard
- ☒ Attorney General's office
- ☒ Police
- ☒ Maritime industry safety authority