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**EXPERT CONSULTATION ON DATA FORMATS AND PROCEDURES
FOR MONITORING, CONTROL AND SURVEILLANCE**

**BERGEN, NORWAY
25 to 27 OCTOBER 2004**

**INTERNATIONAL NETWORK FOR THE COOPERATION AND
COORDINATION OF FISHERIES-RELATED MONITORING,
CONTROL AND SURVEILLANCE ACTIVITIES**

TECHNICAL TERMS OF REFERENCE

25 January 2001

PREAMBLE

Recognizing:

The responsibilities of States to manage fisheries in which their nationals are engaged and/or benefit;

The interest of States in providing for the long term development of sustainable marine resources;

The range and extent of fishing activities within and across coastal waters and the high seas;

The impacts of fishing on non-target species and the wider marine environment;

The costs of ensuring compliance by foreign and domestic vessels with fisheries management and conservation measures;

The benefits of coordination and cooperation in fisheries-related monitoring, control and surveillance (MCS);

The advantages of collecting and sharing MCS information, and

The requirements of States to implement fisheries-related MCS measures pursuant to national, regional and international law, including:

Article 8.1.4 and other provisions related to MCS from the Code of Conduct for Responsible Fisheries,

Item 12.J of the Declaration of Rome on the Application of Code of Conduct adopted during the FAO ministerial meeting on fisheries held 10 and 11 March 1999,

Articles V, VI, and VII of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, Annex I, Standard Requirements for the Collection and Sharing of Data of the Agreement for the Implementation of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and

Article 24 of the International Plan of Action to Prevent, Deter and Eliminate Illegal Unregulated and Unreported Fishing.

The country participants in the International Conference on Monitoring, Control and Fishing Surveillance (Santiago, Chile, 25 and 26 January 2000) indicate their intention to create an international network for the coordination of fisheries-related enforcement.

1. DEFINITION

The International MCS Network is an arrangement of national organizations/institutions in charge of fisheries-related MCS activities, which have been authorized by their countries, to coordinate and cooperate in order to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing.

2. OBJECTIVES AND FUNCTIONS

2.1 The objectives of the International MCS Network are to improve the efficiency and effectiveness of fisheries-related MCS activities through enhanced cooperation, coordination, information collection and exchange among national organizations/institutions responsible for fisheries-related MCS.

2.2 States shall achieve these objectives through the following functions:

- a) identifying their national organizations/institutions responsible for fisheries-related MCS, and the primary contact person who shall act as the main national coordinator for the purposes of this network;
- b) collecting and providing timely and accurate MCS information to other parties to the arrangement;
- c) considering requests and, where appropriate and possible, cooperating in joint fisheries-related MCS activities;
- d) promoting technical assistance, training, experience exchange, and institutional development, to increase MCS knowledge and capability amongst participating parties;
- e) considering the particular needs and obstacles faced by developing countries; and
- f) identifying and designating an International MCS Network Administrator.

3. ORGANIZATION

3.1 Participation in the International MCS Network will be voluntary. Organizations/Institutions responsible for MCS will be able to participate by notifying the International MCS Network Administrator through the use of a written format that will be available on the International MCS Network Website.

- 3.2 The organizations/institutions responsible for MCS may participate and contribute within the limits of their current resources, and are encouraged to participate further as resources are available.
- 3.3 In order to access the websites of each participating organization/institution responsible for MCS, the International MCS Network Website Administrator will maintain a hyperlink on the International MCS Network Website that allows access to the points of contact and to the web-available information identified in "INFORMATION REQUIREMENTS". The Network Administrator will assign passwords and manage access to the website.

4. PROTOCOL FOR INFORMATION EXCHANGE

- 4.1 Organizations/institutions should cooperate in the collection, exchange and transmission of information within the constraints of laws and conventions of each State relating to the confidentiality and protection of private, restricted and privileged information.
- 4.2 To the greatest extent practicable, the information identified in "INFORMATION REQUIREMENTS" should be made available through access to the International MCS Network.
- 4.3 For information that cannot be accessed through the International MCS Network Website, requests should be made of the contact person(s) or designated person(s) identified on the International MCS Network Website. The contact person or designees should ensure that inquiries are responded to promptly.
- 4.4 Subject to the operation of freedom of information and privacy laws applicable to each participant, information which can be supplied in response to requests shall be treated as being supplied in confidence and held in a secure manner unless otherwise permitted by the participant providing the information.

5. INFORMATION REQUIREMENTS

- 5.1 Consistent with their national legislation, the following information should be collected and maintained by each organization/institution in order to facilitate MCS coordination and cooperation. This should include at a minimum, that information required under the FAO Compliance Agreement and, to the extent possible, as proposed under the International Plan of Action to combat IUU fishing.
 - 5.2 The exchange of information shall be carried out according to the protocol described in "PROTOCOL FOR INFORMATION EXCHANGE."
- 5(a) Organizational/Institutional Contact Information:
- Primary Contact officer (name, telephone numbers, fax, e-mail, language);
 - Name and positions of key personnel (address, telephone numbers, fax, e-mail, website); and
 - Name of relevant fisheries MCS organizations/institutions, (general description of organization and structure).

5(b) Vessel Related Information:

- Name of vessel;
- Registration number (IMO number, if available);
- Flag of vessel;
- Previous flag state and date of change;
- Previous names of vessel and date of change;
- Register and port of registration;
- International radio call sign;
- Name and address of owners (telephone numbers, fax, e-mail, website);
- Name and address of previous owners;
- Name and address of shipbuilder (telephone numbers, fax, e-mail, website);
- Fishing system at time of construction (type of vessel);
- Currently installed fishing systems;
- Where and date built;
- Length (m);
- Base port of operations;
- Color photograph;
- Vessel positioning system (type);
- Maximum beam (m);
- Pillar (m);
- Moulded depth (m);
- Hold capacity (m³);
- Gross register ton (GRT) (gross tonnage);
- Net register ton (NRT) (net tonnage);
- Displacement (tons);
- Rated power main engine (hp); and
- Rated power auxiliary engines (hp).

5(c) Fishing Permits/Authorizations:

- Name of the vessel;
- Natural or legal person authorized to fish;
- Areas, scope and duration of the authorization;
- Scientific name of species or FAO Code, fishing gear authorized, and where appropriate, other applicable management measures;
- Vessel monitoring systems;
- Catch reporting requirements;
- Reporting and other conditions for transshipping;
- Observer coverage, maintenance of fishing and related log books;
- Navigational equipment;
- Compliance with applicable international conventions and national laws and regulations;
- Marking of fishing vessels;
- Compliance with other aspects of fisheries arrangements; and
- Internationally recognized registration number.

5(d) Catch/Landing Information:

- Name of Vessel;
- Vessel logbook data;

- Landing data, where relevant;
- Sale and/or export data;

5(e) MCS Information

- Name of Vessel;
- Vessel inspection information;
- Record of sightings and movements;
- Action/contact officers; and
- Violation history and penalty information (vessel, companies, persons) in accordance with national laws.

5(f) Fisheries Laws:

- Legislation/regulations and policies relating to particular fisheries and conservation measures.

6. INTERNATIONAL MCS NETWORK COSTS

- 6.1 Participants providing information, cooperation or assistance, or participating in joint exercises, shall bear the costs of providing that service unless there is a prior written agreement otherwise.
- 6.2 The costs related to administration/operation of the International MCS Network will be borne by whomever administers the network.