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REGIONAL COMMISSION FOR FISHERIES

Eighth Meeting of the Working Group on Fisheries Management

Cairo, Arab Republic of Egypt, 8-10 December 2014

Status of IPOA-IUU and Port State Measures in the RECOFI area and preparation for the Arabian Sea international workshop

Executive Summary

Illegal, unreported and unregulated (IUU) fishing remains a major global threat to the long-term sustainable management of fisheries and the maintenance of productive and healthy ecosystems, as well as to the stable socio-economic condition of many of the world's fishing communities. The international community has put forward several initiatives, instruments and tools to combat IUU fishing worldwide in a cooperative way. FAO is working on various fronts to combat IUU fishing through an integrated approach that includes awareness raising, knowledge building, and support to the development, adoption and implementation of global instruments such as the 2009 FAO Agreement on Port State Measures (PSMA). Oman is the only country in the region which has become Party to the PSMA. RECOFI has addressed the fight against IUU fishing in two major workshops over the past decade and has engaged in discussions on the subject in a number of meetings. The Seventh Session of RECOFI recognised once again the threats posed by IUU fishing to the sustainability of fisheries in the region and agreed on the drawing up a regional plan of action to combat IUU fishing through the RECOFI Working Group on Fisheries Management (WGF8). At its seventh meeting, the WGF8 recognised the urgent need for capacity development in port State measures in the region. FAO, in collaboration with the RECOFI Secretariat and other regional and international entities, is moving ahead with preparations for a regional workshop on the implementation of the PSMA in the first quarter of 2015.

The WGF8 is invited to:

- Review the initiatives of the WGF8 in relation to the combat of IUU fishing
- Consider formulating a draft programme of work for the development of a regional plan of action to prevent, deter and eliminate IUU fishing
- Address the benefits of the implementation of the Port State Measures Agreement in the RECOFI region
- Discuss the preparations, prospectus and expected outcomes of the regional workshop on the implementation of the Port State Measures Agreement.

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INTRODUCTION

Illegal, unreported and unregulated (IUU) fishing remains a major global threat to the long-term sustainable management of fisheries and the maintenance of productive and healthy ecosystems, as well as to the stable socio-economic condition of many of the world's fishing communities. Motivated by economic gain, IUU fishing takes advantage of corrupt administrations and exploits weak management regimes, especially those of developing countries lacking the capacity and resources for effective monitoring, control and surveillance (MCS). It is found in all types and dimensions of fisheries, occurs both on the high seas and in areas under national jurisdiction, concerns all aspects and stages of the capture and utilization of fish, and may sometimes be associated with organized crime.

The international community has put forward several initiatives, instruments and tools to combat IUU fishing worldwide in a cooperative way. Several countries, Regional Fishery Bodies (RFBs) and other international entities have engaged in a wide-range of initiatives over the years to implement the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). FAO is working on various fronts to combat IUU fishing through an integrated approach that includes awareness raising, knowledge building, and support to the development, adoption and implementation of global instruments such as the 2009 FAO Agreement on Port State Measures (PSMA). The worldwide implementation of the provisions of the PSMA, in conjunction with other tools such as the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record), catch documentation schemes and other MCS tools, is believed to be one of the most cost-effective and efficient means of combating IUU fishing. Denying port entry to foreign fishing vessels engaged in IUU fishing and the prohibition of landing their catches are considered to be highly effective deterrents to the operators and owners of such vessels. In addition, the Voluntary Guidelines for Flag State Performance, recently endorsed by the FAO Committee on Fisheries, are expected to provide a valuable tool for strengthening compliance by flag States with their international duties and obligations regarding the flagging and control of fishing vessels.

IMPLEMENTATION OF THE IPOA-IUU AND OTHER INSTRUMENTS TO COMBAT IUU FISHING IN THE RECOFI REGION

Regional workshops

In December 2005, an FAO Regional Workshop on the Elaboration of National Plans of Action to Prevent, Deter and Eliminate IUU Fishing (NPOA-IUU) in the Near East Region was held in Cairo, Egypt¹. The purpose of the Workshop was to assist countries in the region to develop capacity to elaborate national plans of action to prevent, deter and eliminate IUU fishing. A review of the major IUU fishing problems in the region was undertaken and their possible solutions were also discussed. The Workshop agreed that, *inter alia*, the following action should be taken:

National level

- Identify and consult with stakeholders, including industry, NGOs, fishing communities, universities and research centres, concerning the development of the NPOA-IUU.
- Under the guidance of a lead agency, such as the Ministry of Fisheries, formalize a consultative process for the development of a NPOA-IUU and work on improving coordination among agencies.
- Review national policies and laws to ensure they matched with the objectives of the NPOA-IUU.
- Request that adequate resources were provided to develop and implement the NPOA-IUU.
- Maintain and strengthen existing MCS programmes and promote innovative means of approaching MCS in general, including promoting the role of fishers in MCS in small scale fisheries.

¹ FAO Fisheries Report No. 793

Regional level

- In the development of NPOAs–IUU, attempt to promote coordination through a RFB or other mechanisms, such as bilateral cooperation, to achieve a degree of harmony in NPOAs–IUU, particularly where fish stocks and fleets were shared.
- Promote broader regional cooperation in fisheries at all levels especially for the development of NPOAs–IUU where a degree of harmony was required.
- Promote regional cooperation in MCS and exchange of information relating to MCS.

Another regional workshop focusing on combatting IUU fishing was held between 30 March and 2 April 2009 in Muscat, Oman². The workshop had identified urgent national and regional actions to tackle the problem of IUU fishing which was contributing to the sharp decline of commercial species throughout the region. The workshop underlined that IUU fishing activities were widespread and included fishing during closed seasons, catching undersized species and the use of illegal gear. The workshop also underscored the importance of informal communications among countries, particularly for MCS operations in respect of IUU fishers that moved through the waters of different countries.

Port State Measures Agreement

Oman is the only country in the region which has become Party (1 August 2013) to the PSMA; the Agreement will enter into force 30 days after the date of deposit with the Director-General of FAO of the twenty-fifth instrument of ratification, acceptance, approval or accession. Eleven FAO Members are currently Party to the Agreement but several others have their internal processes in train to become a Party in the near future.

Commission and WGFM guidance

In the light of the outcomes of the 2009 workshop, RECOFI, at its Fifth Session, encouraged Members to take steps to combat IUU fishing and considered the development of a reporting system for IUU fishing violations. Such a reporting system was discussed at the third and fourth meetings of the WGFM, and after lengthy deliberations participants agreed on the need to conduct a feasibility study “to review the development of regional databases for violations, establish a list of vessels authorised to fish by Members and the establishment of an MCS information exchange scheme³”. However, the Sixth Session of RECOFI was unable to reach consensus on whether the study should proceed. As a compromise, the Commission had agreed that (i) the matter be revisited at the next meeting of the WGFM; (ii) the concept for the study be modified to incorporate, as a first step, preliminary assessments by Members of the extent of IUU fishing in their respective national jurisdiction; and (iii) a framework for future work related to IUU fishing, and how it should be addressed. As a follow up to this guidance, the WGFM agreed to carry out a survey on the status and extent of IUU fishing in their respective countries, however, to date, this initiative has not been undertaken. The Seventh Session of RECOFI (May 2013) recognised once again the threats posed by IUU fishing to the sustainability of fisheries in the region and agreed on the drawing up a regional plan of action to combat IUU fishing through the RECOFI Working Group on Fisheries Management (WGFM). At its seventh meeting (November 2013), the WGFM recognised the urgent need for capacity development in port State measures in the region and agreed that a regional workshop should be organised within the framework of FAO’s global capacity development programme on the implementation of the 2009 FAO Agreement on Port State Measures and other related instruments which aim to combat IUU fishing. The possibility of inviting other countries from neighbouring regions to participate in the workshop was also considered.

² FAO Fisheries and Aquaculture Report No. 903

³ Terms of reference drafted by the Ministry of Fisheries Wealth, Sultanate of Oman.

CAPACITY DEVELOPMENT

At its 31st Session in June 2014, the FAO Committee on Fisheries (COFI) emphasized the importance of the coming into force of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing as soon as possible. COFI also encouraged FAO to continue with the delivery of its capacity development programme to strengthen and harmonize port State measures. The Arabian Sea, including the RECOFI area, Red Sea and Gulf of Aden, was identified as a priority region in this capacity development programme which is currently largely supported by a project funded by the Norwegian government. In this respect, and considering RECOFI's appeal, FAO, in collaboration with the RECOFI Secretariat and other regional and international entities, is moving ahead with preparations for a regional workshop on the implementation of the PSMA in the first quarter of 2015. The main objective of the regional workshop shall be to improve the understanding of the provisions of the PSMA, to highlight the policy, legal, institutional and operational requirements for effective implementation of the provisions, and to enhance the necessary skills of national officers in the implementation of port State measures. It is expected that, following the workshop, countries will be better placed to strengthen and harmonize port State measures, thereby promoting enhanced social and economic development, and food security, which ultimately contribute to achieving improved fisheries conservation and management and reduced damage and stress on their related ecosystems. National experts from middle or senior management levels are expected to participate and should ideally have, between them, knowledge and work experience in matters related to the legal, operational and policy aspects of port State measures. The participation of administrators, fisheries managers and fisheries inspectors involved in monitoring, control and surveillance (MCS), as well as port authority personnel, shall be essential.

The 5-day workshop will be delivered by resource persons from FAO, regional organizations and internationally recruited experts. The workshop shall analyse port State measures from the legal, political and institutional perspectives as well as from the viewpoint of resource and operational capacities, in addition to addressing the benefits of implementing the Agreement through regional cooperation mechanisms. Participants shall be expected to identify national and regional strengths and weaknesses, and to propose actions to overcome identified weaknesses.