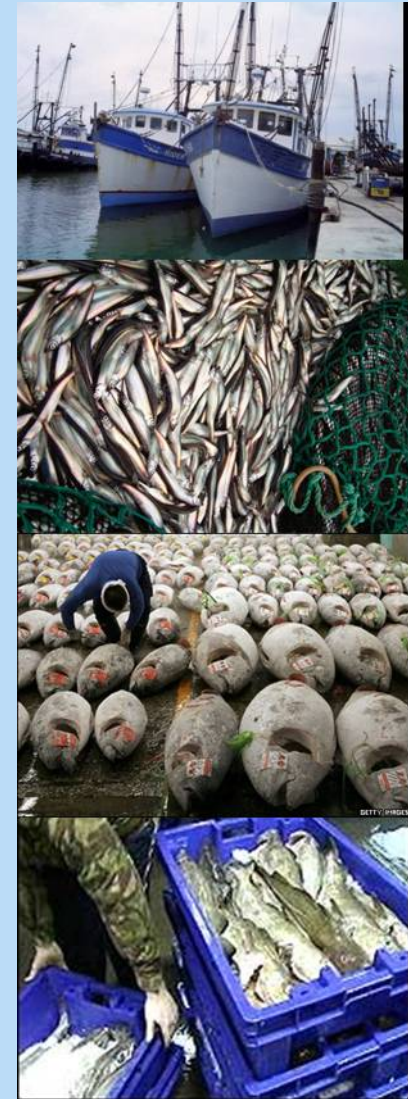


The FAO Model Scheme on Port State Measures

FAO – GFCM Workshop on Port State Measures
to combat IUU fishing

Rome, Italy, 10-12 December 2007

Gunnstein Bakke



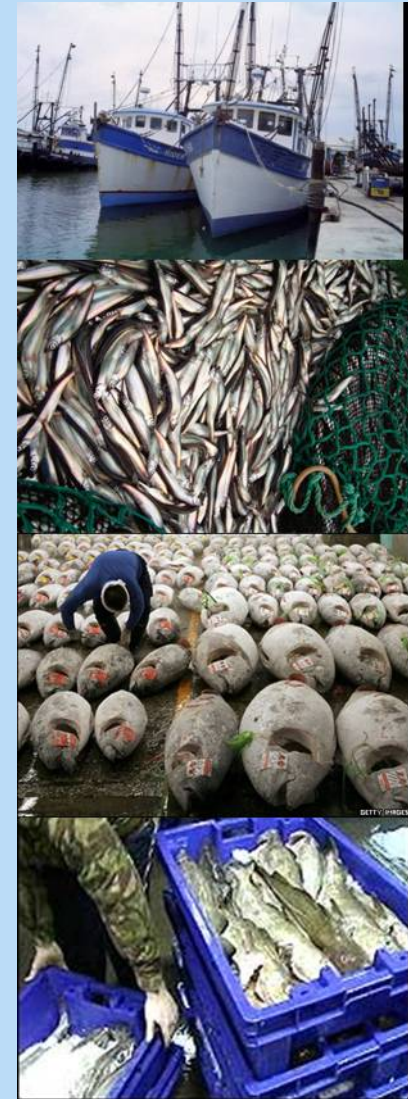
Topics

- Background / development of the Model Scheme
- IUU fishing and the scope of the Model Scheme
- Elements of the Model Scheme
- Linkages with other MCS tools
- The future, a global binding agreement



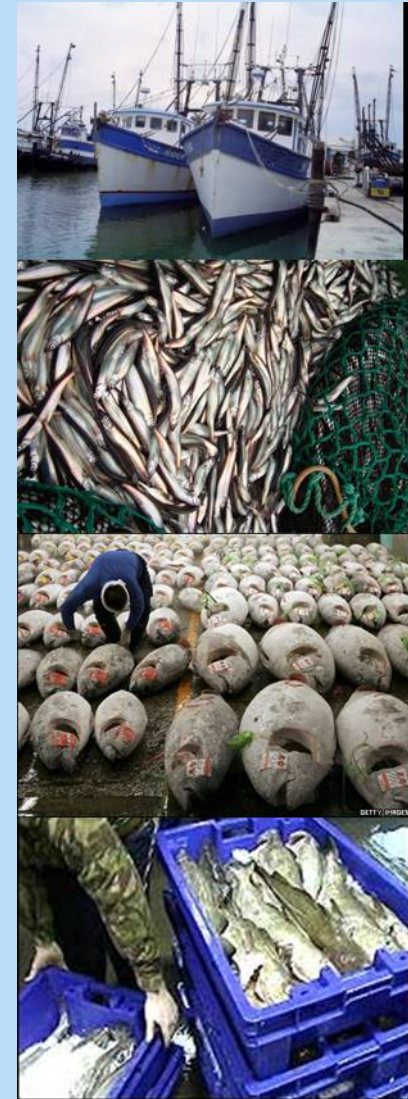
Background

- FAO Code of Conduct for Responsible fisheries 1995
- UN Fish Stocks Agreement, 1995
- FAO Compliance Agreement, 1993
- FAO Expert Consultation on IUU fishing, 2000
- Joint Working Group IMO/FAO, 2000
- IPOA on IUU fishing, 2001



Development of the Model Scheme

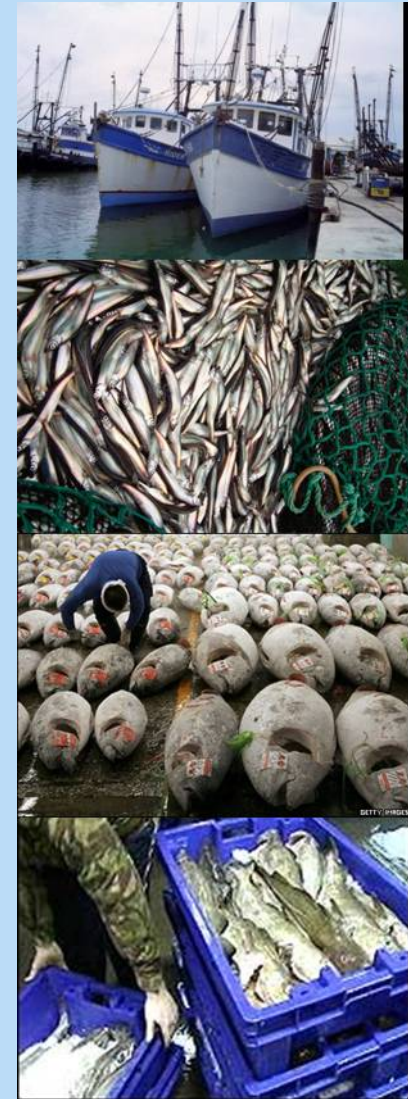
- Paper by the Legal Office of FAO, 2002
- FAO Expert Consultation, 2002
- FAO Technical Consultation, 2004
- FAO Committee on Fisheries, 2005



IUU fishing

IPOA on IUU fishing, Art. 3 and Model Scheme Art 4, e.g:

- Licence/authorization/permit
- Catch records/reporting
- Closed area/closed season/outside quota
- Moratorium species
- Undersized fish
- Illegal gear
- Marking, identity or registration of vessel
- Vessel Monitoring System
- Multiple violations



Scope

- Minimum port State measures
- Foreign fishing vessels
 - Definition of “fishing vessel”
 - Model Scheme Art. 1.2
 - “The lifelines of the pirates are covered”
 - Vessels listed / not listed by RFMOs



Scope



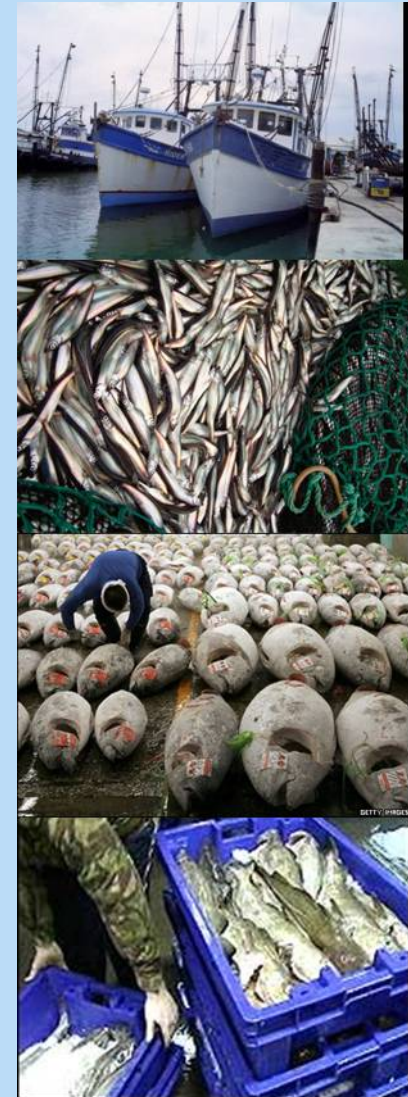
Elements of the Model Scheme

- Prior notification / reactions
- Inspections
- Actions if IUU fishing is disclosed
- Exchange of information



Prior notification

- Designation of ports
- Time limits
- Required information:
 - a) Vessel identification
 - b) Purpose of visit
 - c) Fishing authorizations
 - d) Trip information
 - e) Species information i.a. quantities



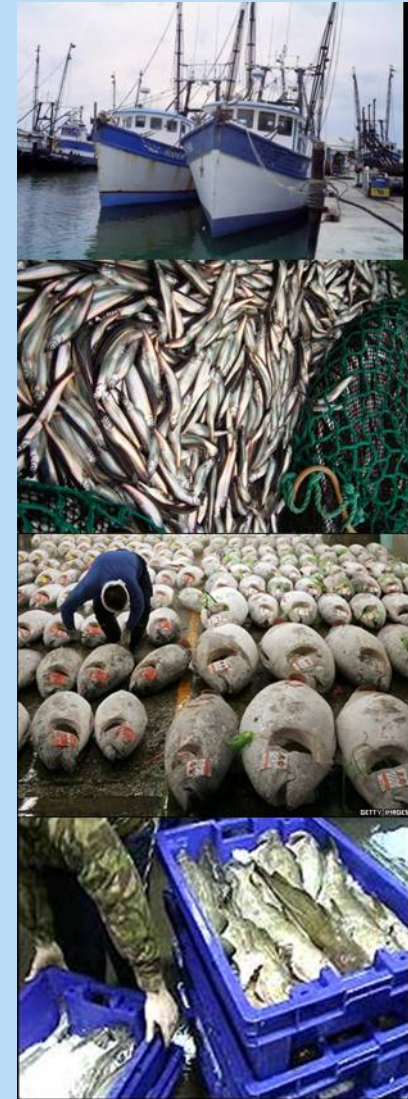
Reactions based on the prior notification

- Refusal of landing, transshipping and processing
- Refusal of refuelling or re-supplying
- Denial of access to port



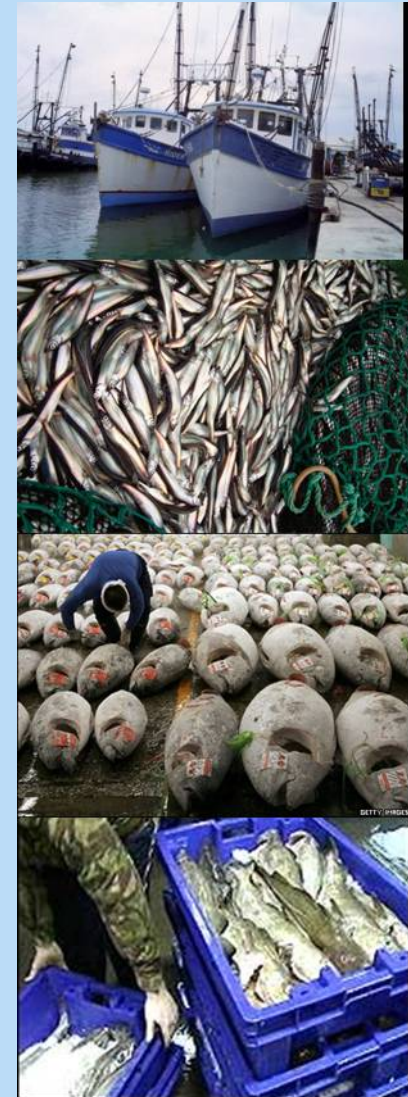
Inspections – formal requirements

- Qualified inspectors
- Identification
- Establish domestic legislation, including:
 - a) Power to examine areas, catch, gear, documents etc.
 - b) Obligation of the master to assist
 - c) Minimizing interference etc.
 - d) Presentation of the report



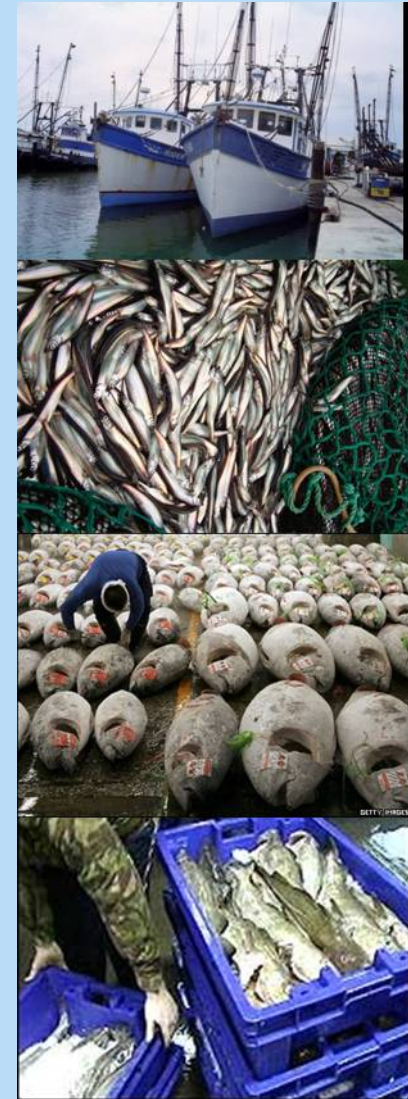
Inspections - execution

- Vessel identification
- Authorization
- Other documentation
- Fishing gear
- Fish and fishery products
- Report



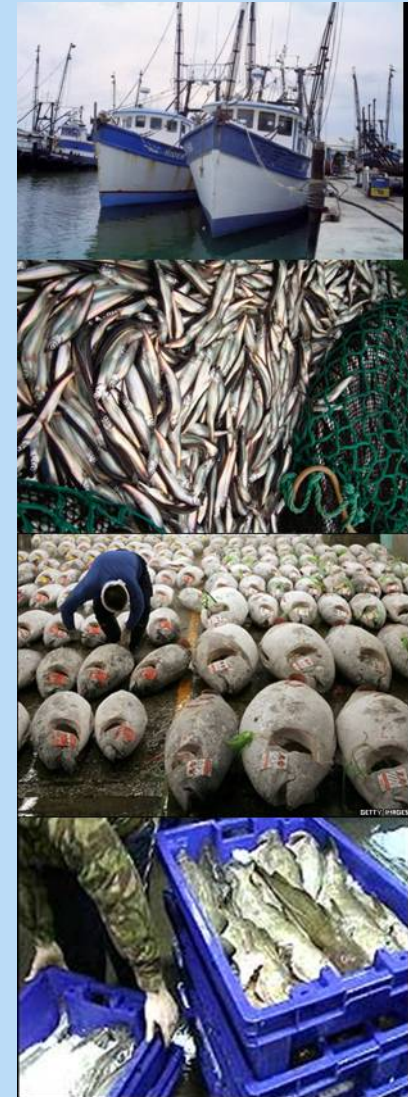
IUU fishing disclosed during an inspection - actions

- Prompt notification to:
 - Flag State
 - Coastal State
 - RFMO
- Pending response from flag State:
 - Refuse landing or transshipment
 - Take other actions, if consent/request from the flag State



Exchange of information

- Report to flag State, other relevant States, RFMO
- Computerized exchange
- Standardized format



Linkages with other MCS tools

- Listing of fishing vessels (IUU / Authorized)

- Regulation of transshipment:

 - a) Tuna organisations

 - b) NAFO, NEAFC, SEAFO

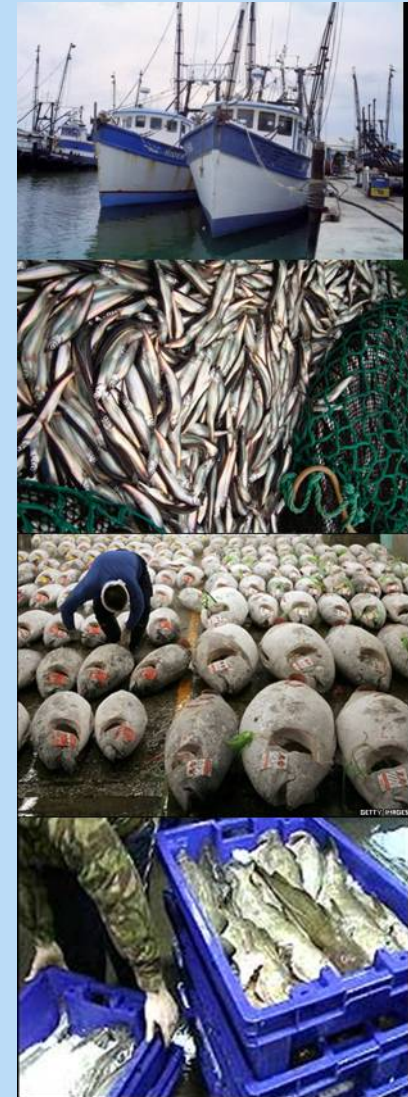
- Trade/Market-related measures:

 - a) Tuna organisations

 - b) CCAMLR

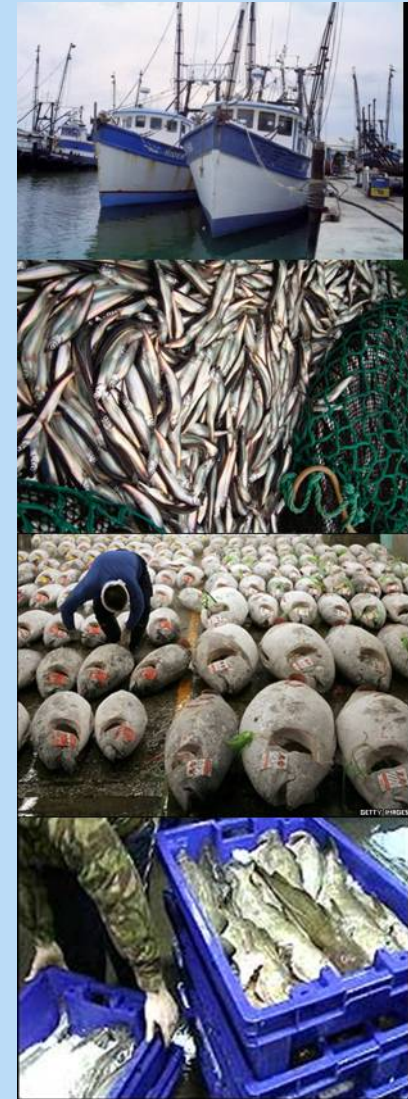
- Unilateral measures

The EU proposal for new measures to combat IUU fishing is one example



Next steps – binding global agreement

- Review Conference on UNFA/UNGA Resolution 06
- FAO Committee on Fisheries (COFI) 2007
- FAO Expert Consultation, September 2007
- FAO Technical Consultation, June 2008
- COFI 2009



Elements of a global agreement

- FAO Model Scheme

- Role of the flag State ???

- Linkage with other MCS tools:

- a) "global" IUU vessel list

- b) global vessel register

- c) trade/market-related measures



Questions / comments ?

