

FAO/GFCM Workshop on Port State Measures to Combat IUU Fishing Rome, Italy, 10-12 December 2007

CONSIDERATIONS FOR REGIONAL COOPERATION ON PORT STATE MEASURES IN THE GFCM AREA

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GENERAL

FORM OF COOPERATION: REGIONAL SCHEME

BASIS FOR AGREEMENT:

- FAO MODEL SCHEME
- EMERGING INTERNATIONAL AGREEMENT
- RELEVANT PRACTICE OF OTHER RFMOs
- FISHERIES ACTIVITIES IN GFCM AREA

PRINCIPLES

- MINIMUM STANDARDS

- PROCESSES FOR:
 - designating ports for landing, transshipping
 - notification for entry into port
 - authorization (by flag and port State) for landing, transshipping

- PROCEDURES FOR:
 - identification, notification of authorized inspectors
 - conduct of port inspection
 - protection of quality of fish, fish product on board
 - obligations on vessel master during inspection
 - reporting inspection results

- WITHOUT PREJUDICE: PORT STATE SOVEREIGNTY

FRAMEWORK

- SCOPE
- DESIGNATED PORTS
- PRIOR NOTICE OF ENTRY INTO PORT
- AUTHORISATION TO LAND, TRANSHIP OR OTHERWISE USE THE PORT
- INSPECTORS
- INSPECTIONS
- INSPECTION REPORTS
- PORT STATE ACTION FOLLOWING INSPECTION
- ROLE OF FLAG STATES
- INFORMATION

FRAMEWORK

SCOPE

CONSIDER WHETHER MEASURES APPLY TO:

- Landings, transshipments, use of ports
- Vessels used for fishing
- Vessels used for transport
- Foreign vessels
- National vessels of certain categories
- Vessels irrespective of whether the flag State is a GFCM Member

FRAMEWORK

DESIGNATED PORTS

- DESIGNATE, PUBLICIZE PORTS TO WHICH MEASURES APPLY
- ENSURE PORTS HAVE SUFFICIENT CAPACITY TO CONDUCT INSPECTIONS, TAKE RELEVANT MEASURES
- NOTIFY GFCM OF PORTS WITHIN SPECIFIED TIME FRAME
- GFCM TO PUBLICIZE ON WEBSITE, MAINTAIN REGISTER

FRAMEWORK

PRIOR NOTICE OF ENTRY INTO PORT

- MASTERS TO REQUEST ACCESS TO PORT AUTHORITIES AT LEAST XX DAYS/HOURS BEFORE ESTIMATED ARRIVAL TIME
- FLEXIBILITY TO VARY DEPENDING ON DISTANCES
 - Allow time for port authorities to investigate
- INFORMATION IN ADVANCE FOR LANDINGS, TRANSHIPMENTS
 - Agreed information, forms in Annex
 - Port State to forward forms to flag State of fishing or donor vessel

FRAMEWORK

AUTHORIZATION TO LAND, TRANSHIP, USE PORT

- REQUIREMENT FOR FLAG STATE CONFIRMATION OF SPECIFIED INFORMATION
- LANDING, TRANSHIPMENT, USE OF PORT PERMITTED ONLY AFTER AUTHORIZATION
 - Procedures where no confirmation
- DENIAL OF LANDING/TRANSHIPMENT/USE OF PORT
 - e.g. on IUU list, presumed engaged in, supporting IUU fishing (in GFCM Area, contrary to national, RFMO general) unless vessel can establish catch was consistent with management measures
- NOTIFICATION BY PORT STATE OF ITS DECISION
 - GFCM, flag State, other

FRAMEWORK

INSPECTORS

- REQUIREMENTS FOR INSPECTORS
 - e.g. Members' officials, knowledgeable of GFCM measures
 - Carry and present identity documents
 - Forms of cooperation among Members' inspectors (e.g. observation)
 - Members to establish requirements for training and certification of inspectors, taking into account specified guidelines

FRAMEWORK

INSPECTIONS

- ANNUAL LEVEL OF INSPECTIONS
 - Required – e.g. 15% OR
 - Encourage each Member to set a level
- PRIORITY FOR VESSELS TO BE INSPECTED
- INSPECTION PROCEDURES
 - FAO Model Scheme, Draft Agreement
- DUTIES OF MEMBERS IN CARRYING OUT INSPECTIONS
 - e.g. requirements for inspectors, masters

FRAMEWORK

INSPECTION REPORTS

- MINIMUM INFORMATION TO BE INCLUDED
 - Information, form in Annex

- SIGNATURE, COMMENTS

- DISPOSITION OF COPIES OF INSPECTION REPORTS
 - Flag State
 - GFCM

FRAMEWORK

PORT STATE ACTIONS FOLLOWING INSPECTION

- ACTIONS WHERE IUU FISHING ESTABLISHED
 - Notify flag State, GFCM, other States, RFMOs
 - Deny use of ports for landing, transhipments, processing
 - Deny use of access to port services

- LIST INDICATIVE IUU ACTIVITIES
 - Lists provided in Model Scheme, draft Agreement

- ADDITIONAL MEASURES CAN BE TAKEN
 - Indicate conditions – e.g. in accordance with national laws or treaty obligations; request by flag, coastal States

FRAMEWORK

ROLE OF FLAG STATES

- COOPERATE WITH PORT STATES AND OTHERS IN IMPLEMENTING SCHEME
- REQUEST PORT STATE INSPECTION WHERE IUU FISHING IS SUSPECTED
- ENSURE VESSELS USE PORTS OF COUNTRIES THAT IMPLEMENT PORT STATE MEASURES
- REPORT TO PORT STATES, RFMOS, FAO ON ENFORCEMENT ACTIONS AGAINST IUU VESSELS

FRAMEWORK

INFORMATION

- ESTABLISH CONTACT POINTS IN RELEVANT ADMINISTRATIONS
- ENSURE ELECTRONIC TRANSFER OF INFORMATION WITH GFCM
- DEVELOP STANDARDIZED FORM FOR INFORMATION
- GFCM TO DEVELOP REGIONAL INFORMATION SYSTEM

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