

# REVIEW OF ACTIVITY, MEASURES AND OTHER CONSIDERATIONS RELATING TO ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE MEDITERRANEAN



# PRESENTATION

## BACKGROUND – IPOA-IUU

### NATIONAL LEVEL: ACTIVITIES, CONSTRAINTS

- NPOAS
- MCS LAWS
- MCS TECHNICAL CAPACITY
- IDENTIFYING, QUANTIFYING IUU FISHING ACTIVITIES
- CONSTRAINTS IDENTIFIED BY MEMBERS

### REGIONAL LEVEL: PRACTICAL IMPLICATIONS

- TAKING A STEP-BY-STEP APPROACH – LISTS
- 2003 MINISTERIAL DECLARATION

### OPTIONS FOR ESTABLISHMENT OF SPECIAL WORKING GROUP

# IMPLEMENTATION OF IPOA-IUU

## FAO QUESTIONNAIRE

### RFBS: MOST ACTIVITY

- RECORDS OF AUTHORISED, IUU FISHING VESSELS
- MCS – LANDINGS, TRANSHIPMENTS, VMS

### GFCM STATES: MOST ACTIVITY

- LAW, POLICY
- NATIONALS
- REQUIREMENTS FOR FISHING VESSELS

# IMPLEMENTATION OF IPOA-IUU

## GFCM QUESTIONNAIRE

### HIGHLY EFFECTIVE

- VESSEL INFORMATION, CONTROL
- REQUIREMENTS FOR PORT ENTRY

### LOW - MEDIUM EFFECT OR N/A

- NATIONAL LAWS – OFFENCES, FINES
- INSPECTIONS – SEA, PORT
- VMS REQUIREMENTS
- NPOA-IUU

# IMPLEMENTATION OF IPOA-IUU

## IMPLEMENTATION MECHANISMS

### NPOA-IUU

### CONCLUSIONS AND MEASURES

- EU FISHERIES COUNCIL, 2002

### OTHER MEASURES, ACTIONS

# NATIONAL ACTIVITIES

## MCS LAWS

### DIFFERENT REQUIREMENTS AMONG MEMBERS

- REGISTER, RECORD OF FISHING VESSELS
- INSPECTION, ENFORCEMENT, OBSERVER PROGRAMME
- REPORTING
- TRANSHIPMENT
- VMS

# NATIONAL ACTIVITIES

## MCS LAWS

### REGISTER, RECORD OF FISHING VESSELS

- INFORMATION REQUIRED
- CLASSIFICATION OF VESSELS
- PREREQUISITES TO REGISTRATION
- ADMINISTRATIVE ARRANGEMENTS

# NATIONAL ACTIVITIES

## MCS LAWS

### INSPECTION AND ENFORCEMENT, OBSERVER PROGRAMMES

- EXTENT OF AUTHORITY – GEOGRAPHICAL
- INFORMATION REQUIREMENTS
- DISTINGUISH:
  - INSPECTORS/ENFORCEMENT AUTHORITY
  - OBSERVERS/OBSERVER PROGRAMMES

# NATIONAL ACTIVITIES

## MCS LAWS

### REPORTING

- TIME OF SUBMISSION
- CONTENTS
- CLASS OF VESSELS TO REPORT
- NEED INFORMATION, e.g. ON REQ'TS FOR DISCARD, TRANSHIPMENT STATISTICS

# NATIONAL ACTIVITIES

## MCS LAWS

### TRANSHIPMENT

- PROHIBITED, OR AUTHORIZATION REQUIRED
- APPLY TO ACTIVITIES AT SEA AND/OR PORT
- APPLICATION TO FOREIGN, AND/OR NATIONAL AND/OR THIRD COUNTRY VESSELS

# NATIONAL ACTIVITIES

## MCS LAWS

### VMS

- MANY MEMBERS HAVE NOT ADOPTED LAWS
- SIZE REQUIREMENT FOR VESSELS
  - EU: 18 – 15 METRES
  - MALTA: 12 METRES

# NATIONAL ACTIVITIES

## MCS TECHNICAL CAPACITY

### LEAST CAPACITY INDICATED

- REQUIREMENTS FOR VMS, RADIO AND/OR FAX
- OBSERVER PROGRAMMES
- REPORTS - HIGH SEAS FISHING

### EC ACTION PLAN FOR CAPACITY STRENGTHENING

- USE OF VMS FOR CERTAIN FLEETS (> 10 METRES)
- REVISION OF LOGBOOK SYSTEM
- IMPROVED MATCHING, VESSEL CHARACTERISTICS, FISHING LICENCES, PERMITS

# IDENTIFYING, QUANTIFYING IUU ACTIVITIES

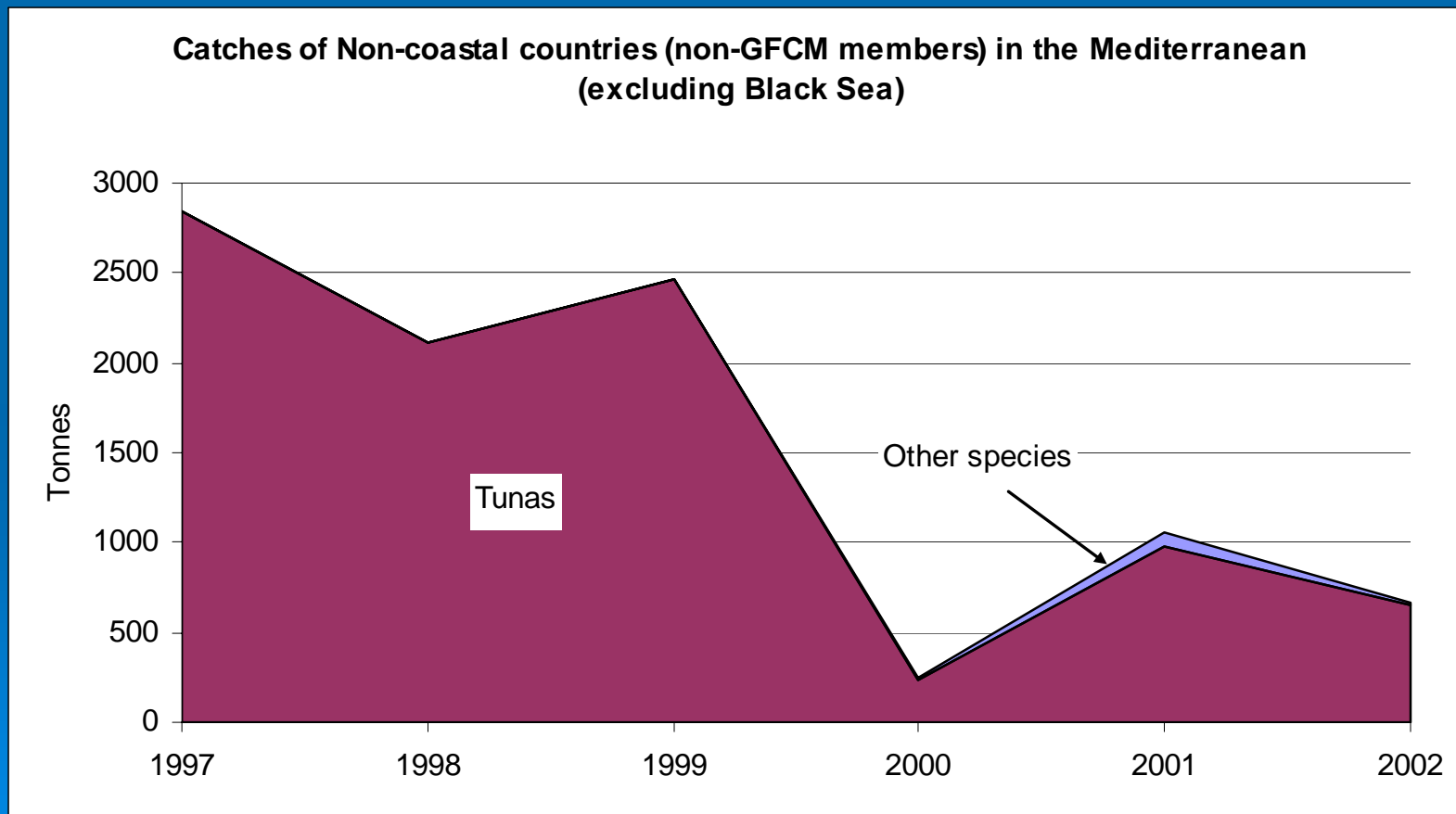
## CONSTRAINTS

- UNEVEN DATA SUBMISSION BY MEMBERS
- LIMITED MCS BY MEMBERS
- UNEVEN INSTITUTIONAL CAPACITY OF MEMBERS

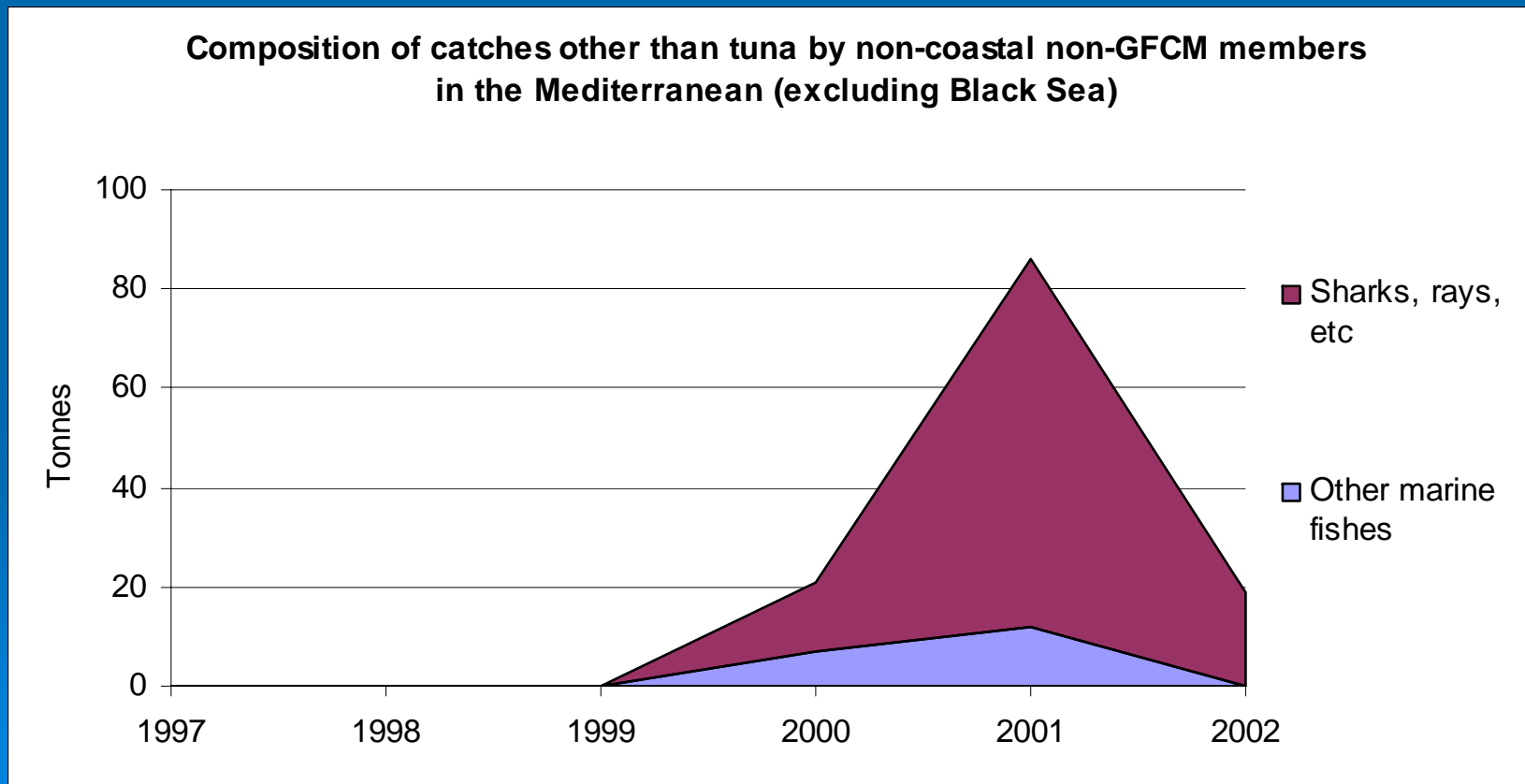
## KEY DATABASES

- MEDFISIS PROJECT
- ICCAT LIST OF IUU LARGE-SCALE LONGLINE VESSELS
- GFCM CAPTURE DATABASE

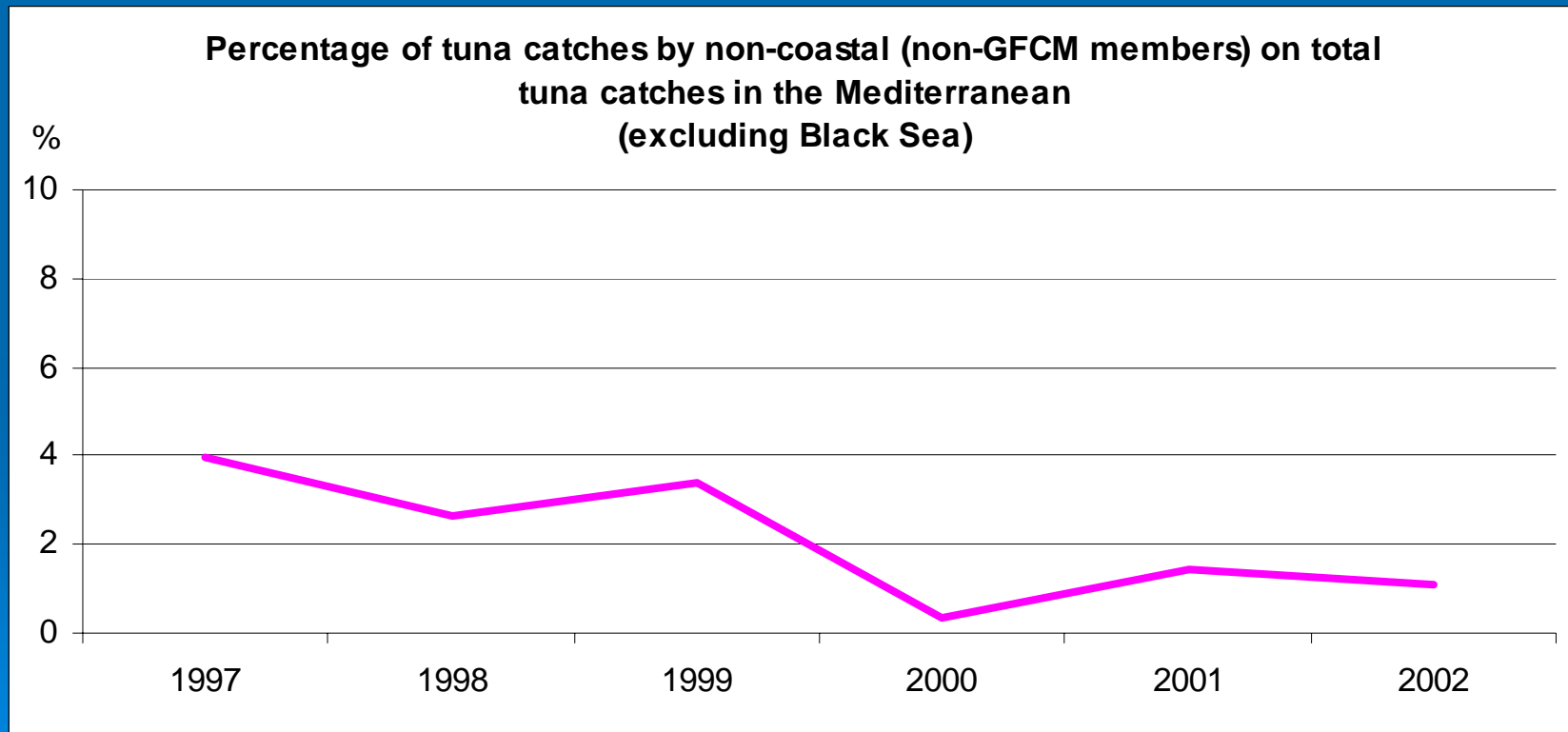
# CATCHES OF NON-COASTAL, NON MEMBER COUNTRIES



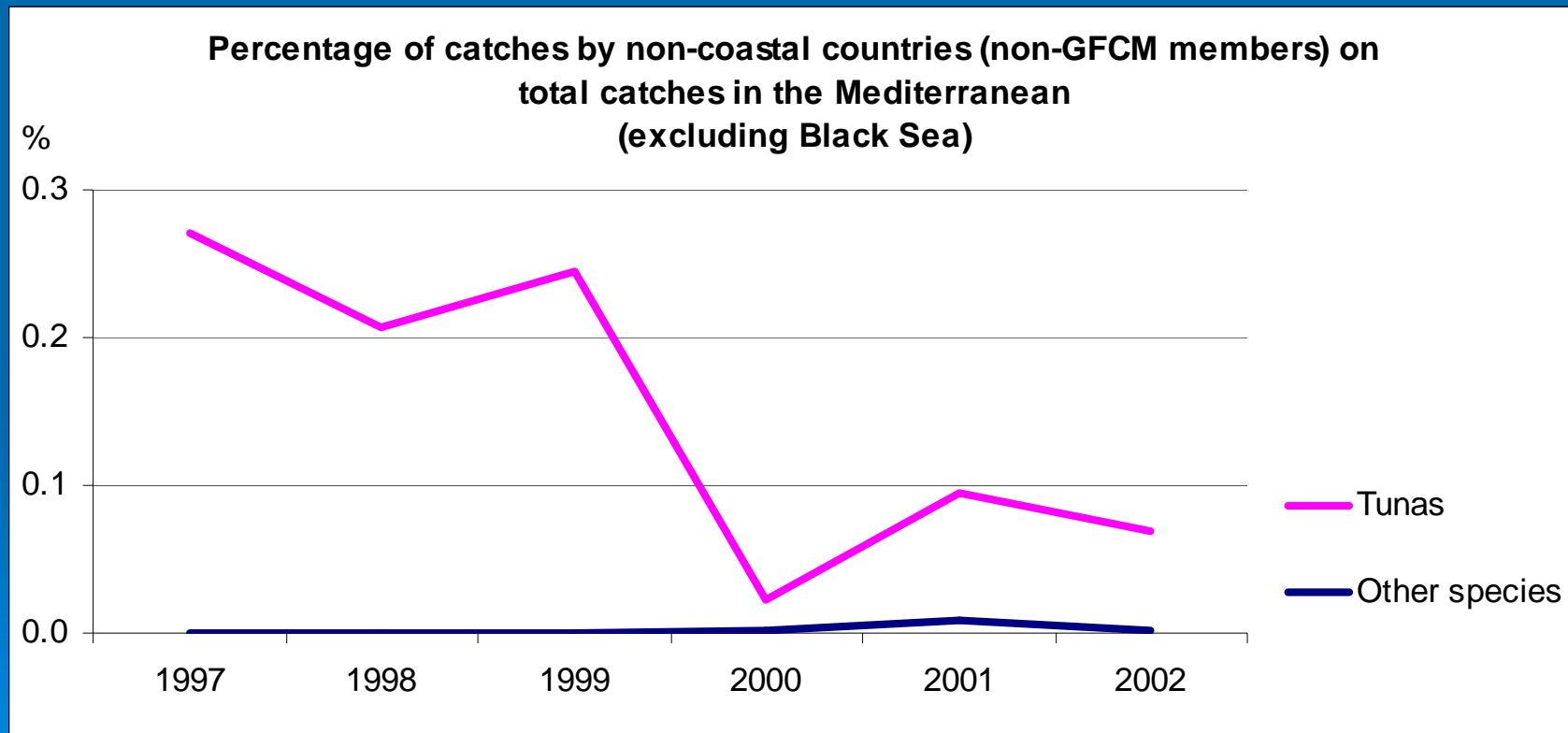
# CATCHES OF NON-COASTAL, NON MEMBER COUNTRIES



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# CATCHES OF NON-COASTAL, NON MEMBER COUNTRIES



# IDENTIFYING, QUANTIFYING IUU ACTIVITIES

## CONCLUSIONS

- NEGLIGIBLE REPORTED FISHING OF SPECIES OTHER THAN SHARK AND TUNA
- BASIS - COSTS/BENEFITS ASSESSMENT, IUU MEASURES

# NATIONAL LEVEL CONSTRAINTS TO ADDRESSING IUU FISHING

## KEY FAO & GFCM QUESTIONNAIRE RESPONSES

### LACK OF:

- ADEQUATE FINANCIAL MEANS
- ADEQUATE MEANS OF CONTROL
- TECHNICAL MEANS OF INSPECTION
- INPUT, OUTPUT CONTROL MECHANISM, CATCH VERIFICATION SYSTEM
- QUALIFIED HUMAN RESOURCES
- ADEQUATE LEGISLATIVE MEASURES
- TECHNICAL AND SCIENTIFIC SUPPORT

# REGIONAL APPROACH

## GFCM 28<sup>TH</sup> SESSION IMPLEMENTATION OF IPOA-IUU IN MEDITERRANEAN

- ADDRESS AT NATIONAL, REGIONAL LEVELS
- STEP-BY-STEP APPROACH
- SOME DELEGATIONS: FIRST STEP
  - “White” lists – Authorized Vessel List
  - “Black” lists – IUU Vessel List

# REGIONAL APPROACH

## EC MINISTERIAL CONFERENCE FOR THE SUSTAINABLE DEVELOPMENT OF FISHERIES IN THE MEDITERRANEAN, 2003 DECLARATION

- Invited GFCM to adopt measures at 29<sup>th</sup> Session based on IPOA-IUU, priority to **AV List and IUU Vessel List**
- Referred to **principles for a system of inspection**
- Invited GFCM to adopt **policy guidelines of a control scheme**, to progressively develop measures defining
  - obligations of the parties
  - use of new technologies
  - mechanisms for inspections at sea and in port

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF AV LIST

## BENEFITS

- PROMOTE COMPLIANCE
- ESTABLISH A FRAMEWORK FOR FLAG STATE RESPONSIBILITY
- EXCHANGE OF INFORMATION

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF AV LIST

## FRAMEWORK

- Criteria for Vessels (size, authorizations)
- Vessel information required
- Non-Listed Vessels: deemed not to be authorized to fish, retain on board, land, tranship
- Duties of parties, CPCs: information, flag State (extensive)
- Duties of RFMO: administration (extensive)

# REGIONAL LEVEL PRACTICAL IMPLICATIONS

## ESTABLISHMENT OF AV LIST

### STEPS FOR CONSIDERATION...

- Mechanism for adoption
- Deciding to limit fishing for fisheries subject to GFCM measures to listed vessels
- Deciding whether to deem non-listed vessels are not authorised to fish, tranship, land, etc.
- Defining criteria for vessels – e.g. size, species (e.g. exclude ICCAT species?)
- Defining criteria for flag States – GFCM Members, CPCs

# REGIONAL LEVEL PRACTICAL IMPLICATIONS

## ESTABLISHMENT OF AV LIST

### STEPS FOR CONSIDERATION...

- Information to be maintained on List
- Mechanisms for information collection, distribution
- Confidentiality requirements
- Mechanism to establish, maintain List
- Deciding to limit fishing for fisheries subject to GFCM measures to listed vessels
- Flag State duties

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF AV LIST

## STEPS FOR CONSIDERATION

- Validation of statistical information by States
- Mechanisms publicity, information dissemination to other RFMOs, etc.
- Arrangements to implement above decisions
  - GFCM - e.g. working group, Secretariat personnel, database establishment
  - Members – e.g. law reform, strengthen institutional capacity

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF IUU VESSEL LIST

## BENEFITS

- Allow for identification, control of IUU fishing
- Provide for measures to be taken against listed vessels
- Provides for fair, transparent and effective process

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF IUU VESSEL LIST

## FRAMEWORK...

- Presumption of undermining GFCM measure
- Sighting procedure - Secretariat
- Surveillance procedure
- Communication of sighting to IUU vessel
- Inspection at sea – requirements, procedures
- Inspection in port – requirements, procedures
- Prohibition of landings, transshipments
- Notification of presumed IUU activities

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF IUU VESSEL LIST

## FRAMEWORK

- Requirements for Secretariat to notify list of vessels (e.g. to all CPs for comment)
- Confirm List (e.g. by committee, Commission)
- Commission to communicate to IUU flag States
- IUU Flag States to satisfy Commission de-listing criteria met – e.g. effective action taken, change of ownership
- Members to take actions (e.g. prohibit registration, licensing, landing, trade, chartering)

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF IUU VESSEL LIST

## STEPS FOR CONSIDERATION...

- Mechanism to adopt IUU List
- Define when presumption to apply (sighting by specified authorities, fishing, transshipment, etc.)
- Define procedures for sighting, reporting IUU vessel
- Procedures for inspection at sea and/or in port
- Procedures for notification to IUU flag State, requesting enquiries, measures be taken

# REGIONAL LEVEL PRACTICAL IMPLICATIONS ESTABLISHMENT OF IUU VESSEL LIST

## STEPS FOR CONSIDERATION

- Procedures and criteria for provisional and confirmed IUU List (e.g. committee, evidence)
- Criteria for removal of vessels from IUU List
- Action to be taken by Members against vessels and harmonise national legislation- e.g.
  - legal proceedings, high fines/penalties
  - prohibit licensing, transshipment, supply, trade, chartering, registration
  - inspect IUU vessels in port

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## PRINCIPLES FOR A SYSTEM OF INSPECTION

- In accordance with Agreement, relevant existing international law
- Emphasis – primary responsibility of flag State, also on port State and coastal State to ensure compliance
- Take account of cost-effectiveness of general measures applicable to all fisheries, specific measures applicable on a case-by-case basis to certain fisheries

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## PRINCIPLES FOR A SYSTEM OF INSPECTION CONSTRAINTS TO ADOPTING SYSTEM

- Negligible reported non-tuna catch
- No institutional capacity in Secretariat
- Mandate in GFCM Agreement may need review
- Lack of capacity, equipment in many Members
- Inspection system not priority for Members

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## PRINCIPLES FOR A SYSTEM OF INSPECTION OPTIONS ...

- Address need for system of inspection
- If a need is established, address capacity issues
- If capacity issues resolved, develop principles and system of inspection

OR

- Address inspection issues within policy guidelines for a control scheme....OR....

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## PRINCIPLES FOR A SYSTEM OF INSPECTION OPTIONS ...

- If it is agreed to establish a system of inspection, consider elaboration of proposed principles

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## POLICY GUIDELINES FOR CONTROL SCHEME OPTIONS FOR POLICY DEVELOPMENT ...

- **NEED** – Agreement to adopt policy guidelines
- **OBJECTIVE** - Application to some, all species, fisheries
- **PRINCIPLES** - To be developed
- **SCOPE** – Cost effective or requiring institutional and law reform, strengthening

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## POLICY GUIDELINES FOR CONTROL SCHEME OPTIONS ...

### SCOPE – COST EFFECTIVE

- May require additional personnel, subsidiary GFCM body
- Activities – e.g. databases, registers, promoting harmonisation at national level

### SCOPE – NATIONAL, REGIONAL DEVELOPMENT REQD

- Would require substantially more financial, etc, input
- System of inspection
- Use of new technologies

# REGIONAL LEVEL PRACTICAL IMPLICATIONS 2003 MINISTERIAL DECLARATION

## POLICY GUIDELINES FOR CONTROL SCHEME MEASURES ...

- **DEFINING MEMBERS OBLIGATIONS** Relate to existing financial, legal, institutional situation
- **USE OF NEW TECHNOLOGIES** Take inventory of existing MCS practices, technologies, impact on relevant fisheries
- **INSPECTION AT SEA, IN PORT** Financial implications, relevance to fisheries

# REGIONAL LEVEL PRACTICAL IMPLICATIONS SPECIAL WORKING GROUP

## OPTIONS

**OBJECTIVE:** RECOMMEND WORK PROGRAMME  
TO GFCM IN JULY, 2004

## RECOMMENDATIONS TO CONSIDER

- NATIONAL, REGIONAL CIRCUMSTANCES
- GFCM MANDATE, MANAGEMENT MEASURES
- RELEVANT DISCUSSION IN GFCM, 2003  
MINISTERIAL DECLARATION
- PRACTICAL IMPLICATIONS

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