

Detection of IUUF Violation and Denial of Port Services

Article 11 – Use of Ports

Deny use of port for:

- Landing, transshipping, packaging & processing of fish not previously landed
- Other port services – refueling, resupplying, maintenance and dry-docking



IF...

Deny Use of Port if:



Invalid authorization for fishing or fishing related activities required by:

- Flag State
- Coastal State

Deny Use of Port if:

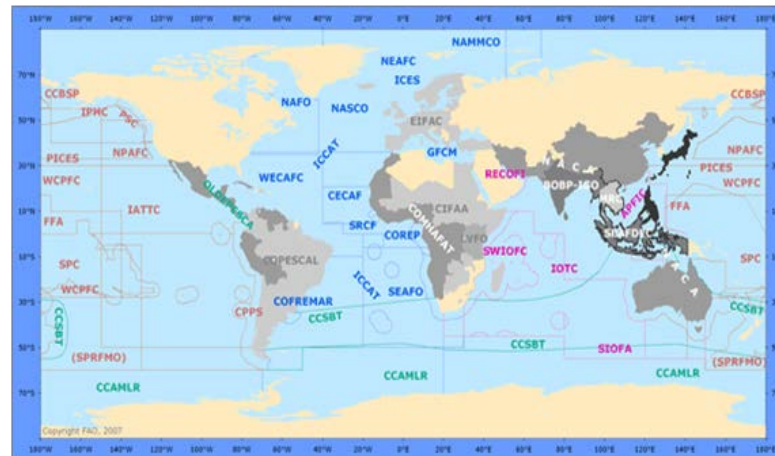
- Clear evidence fish on board taken in contravention of applicable requirements.
- Flag State does not confirm within reasonable time (upon request of port State) fish onboard was taken in accordance with applicable requirements.



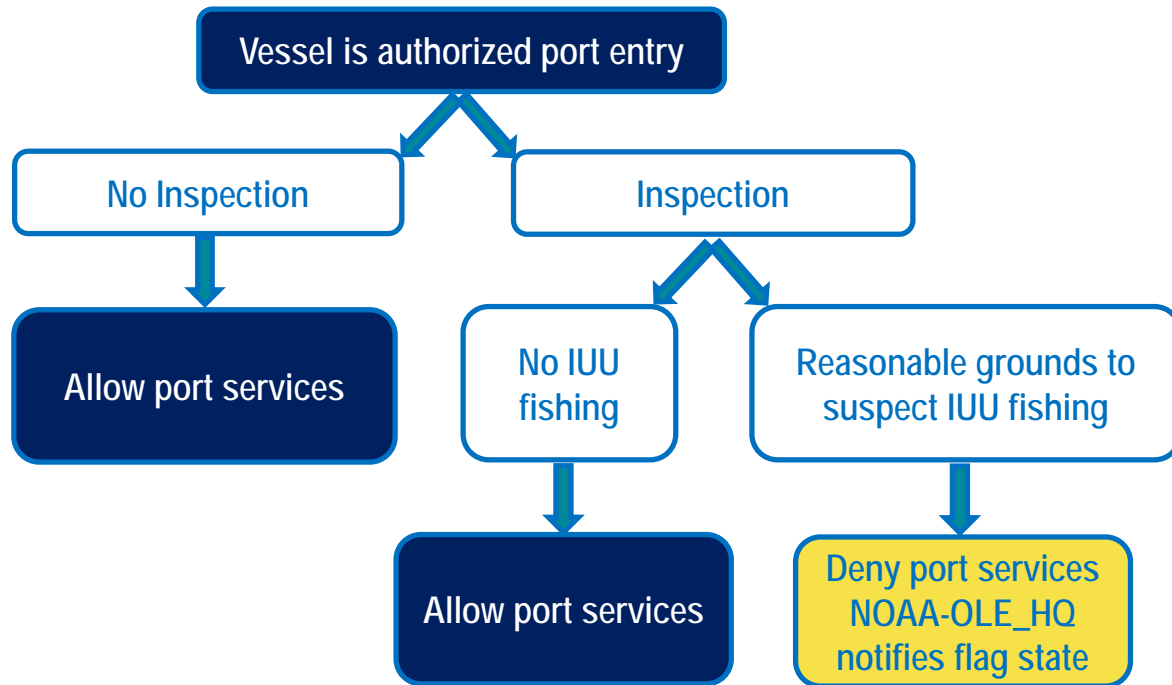
Deny Use of Port if:

There are reasonable grounds to believe a vessel was engaged in IUU fishing or fishing related activities in support of such fishing *unless* the vessel can establish:

- Activities consistent with conservation measures.
- In the case of provisioning, the vessel provisioned was not an IUU vessel at the time.



Port State Inspection Procedures



**Required to allow access to port services, where appropriate, for the scrapping of the vessel may not be denied.*

Denial of Port Services

Denial of Port Services

- If, as a result of an inspection, there are reasonable grounds to suspect that a vessel has engaged in IUUF (or fishing-related activities in support of IUUF), what is the process for ceasing/denying port services?
- Who has the authority to deny port services?
- How is the denial of port services implemented and enforced?
- How is the decision to deny port services communicated to other relevant authorities?
- Who is responsible for communicating port service denials to the flag State, and other relevant entities in accordance with the PSMA?

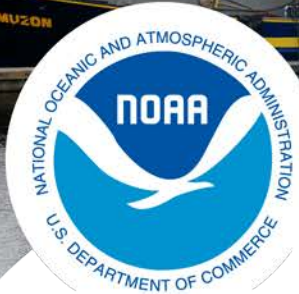




Post-Inspection Results

SEAFDEC Regional PSM Inspector Training
Bangkok, Thailand

22-26 July 2019



NOAA
FISHERIES

Office of Law
Enforcement

Post Boarding

- Full team debrief
- Feedback
- Gather/organize case materials



After the Boarding:

- Review all information with the boarding team for accuracy.
- Ensure you have all necessary documents and photos.
- The lead officer or inspector writes one report based on information provided by boarding team.

Article 14 – Results of Inspection

Annex C as minimum standard for written report of inspection results



PSMA Annex C

Port State

Inspection

Form

Report of the results of the inspection

1. Inspection report no				2. Port State			
3. Inspecting authority							
4. Name of principal inspector						ID	
5. Port of inspection							
6. Commencement of inspection			<i>YYYY</i>		<i>MM</i>	<i>DD</i>	<i>HH</i>
7. Completion of inspection			<i>YYYY</i>		<i>MM</i>	<i>DD</i>	<i>HH</i>
8. Advanced notification received				<i>Yes</i>		<i>No</i>	
9. Purpose(s)		<i>LAN</i>	<i>TRX</i>	<i>PRO</i>	<i>OTH (specify)</i>		
10. Port and State and date of last port call					<i>YYYY</i>	<i>MM</i>	<i>DD</i>
11. Vessel name							
12. Flag State							
13. Type of vessel							
14. International Radio Call Sign							
15. Certificate of registry ID							
16. IMO ship ID, if available							
17. External ID , if available							
18. Port of registry							
19. Vessel owner(s)							
20. Vessel beneficial owner(s), if known and different from vessel owner							
21. Vessel operator(s), if different from vessel owner							
22. Vessel master name and nationality							
23. Fishing master name and nationality							
24. Vessel agent							
25. VMS		<i>No</i>	<i>Yes: National</i>		<i>Yes: RFMOs</i>	Type:	
26. Status in RFMO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing							
<i>Vessel identifier</i>		<i>RFMO</i>	<i>Flag State status</i>		<i>Vessel on authorized vessel list</i>		<i>Vessel on IUU vessel list</i>

PSMA Annex C Port State Inspection Form

27. Relevant fishing authorization(s)						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>	
28. Relevant transshipment authorization(s)						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>				
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>				
29. Transshipment information concerning donor vessels						
<i>Name</i>	<i>Flag State</i>	<i>ID no.</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity</i>
30. Evaluation of offloaded catch (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
31. Catch retained onboard (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity retained</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
32. Examination of logbook(s) and other documentation				<i>Yes</i>	<i>No</i>	<i>Comments</i>
33. Compliance with applicable catch documentation scheme(s)				<i>Yes</i>	<i>No</i>	<i>Comments</i>
34. Compliance with applicable trade information scheme(s)				<i>Yes</i>	<i>No</i>	<i>Comments</i>
35. Type of gear used						
36. Gear examined in accordance with paragraph e) of Annex B			<i>Yes</i>	<i>No</i>	<i>Comments</i>	
37. Findings by inspector(s)						
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)						

PSMA Annex C Port State Inspection Form

39. Comments by the master
40. Action taken
41. Master's signature
42. Inspector's signature

Vessel Inspection Form

- Complete the entire form.
- Indicate if information was not available or not applicable.
- Provide the master with a general summary of the inspection and a copy of the vessel inspection form.

Note: If any documents or catch will be seized, provide the master with a property receipt.

Reporting Inspection Results: NOAA Example

Complete the port State inspection form (Annex C)



Have vessel master sign inspection form and provide a copy to the vessel master



Upload form into TRIDENT and report back to NOAA-OLE-HQ



NOAA-OLE-HQ to notify flag State of inspection results and other relevant authorities

Article 15 – Transmittal of Results

- Flag State, and as appropriate:
- Relevant Parties/States (IUU activity, State of vessel master)
- Relevant RFMOs
- FAO and other relevant international organizations



FAO PSMA Applications for Designated Ports and Contact Points:

| www.fao.org/port-state-measures/operational-resources/en/

Record  FAO PSMA  FAO PSMA CB  Travel  HR  PAPA Google Drive



aimer

AGREEMENT
ON PORT STATE MEASURES
TO PREVENT, DETER
AND ELIMINATE
ILLEGAL, UNREPORTED
AND UNREGULATED FISHING

PSMA Applications for Designated Ports and Contact Points:

UPLOAD DATA (restricted access)

VIEW DATA



NOAA FISHERIES



FAO Member States Selection

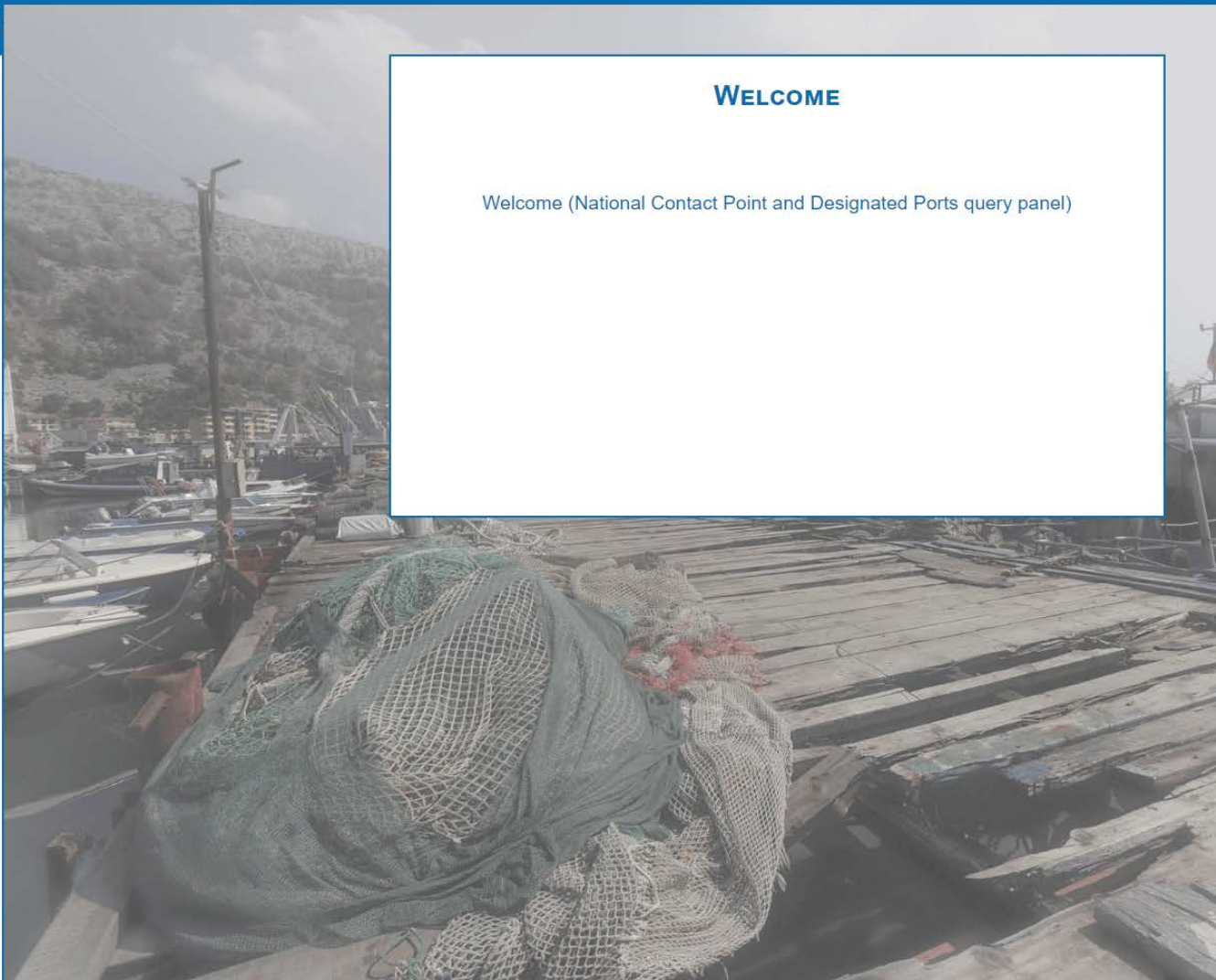
COUNTRIES SELECTION

Advanced search...

- Afghanistan
- Albania
- Algeria
- Andorra
- Angola
- Antigua and Barbuda
- Argentina
- Armenia
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bhutan
- Bolivia
- Bosnia and Herzegovina
- Botswana
- Brazil
- Brunei Darussalam
- Bulgaria
- Burkina Faso
- Burundi
- Cabo Verde
- Cambodia
- Cameroon
- Canada
- Central African Republic
- Chad
- Chile
- China
- Colombia

Clear

Submit



WELCOME

Welcome (National Contact Point and Designated Ports query panel)

Inspection results: Things to Consider

Post-inspection Actions

- What is the process for submitting and cataloguing inspection results (PSMA Annex C) from PSMA inspections?

Transmittal of Inspection Results

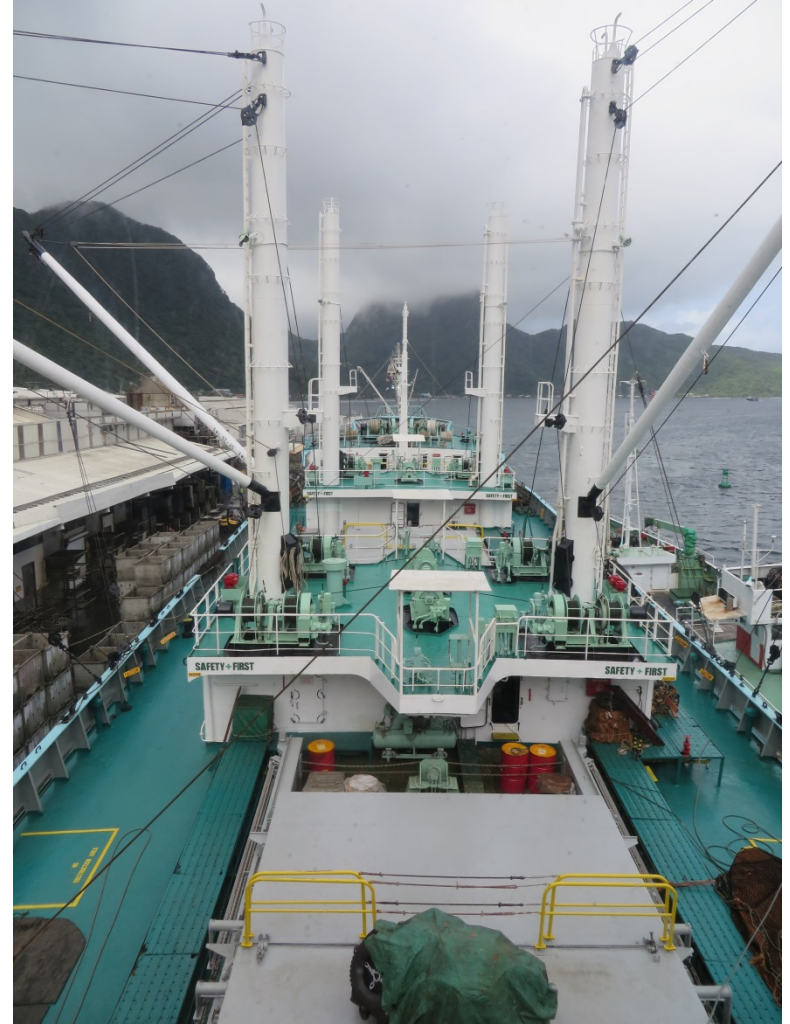
- Who is responsible for communicating all inspection results to the flag State and other relevant entities in accordance with the PSMA?



Article 18 – Actions Following Inspection

When the inspection results in evidence of IUU fishing or fishing-related activities:

- Report findings as per Article 15
- Deny use of port, if use has not already been denied



Article 20 – Role of Flag States

- Require cooperation with inspections
- Investigate IUU activity detected during inspections
- Take enforcement action where appropriate and share information about action taken
- Ensure flagged vessels are subject to measures that are at least as effective in combating IUU fishing



Information Sharing as Component of PSMA



The PSMA envisions effective coordination and information sharing across the relevant authorities of each Party.

The PSMA also mandates information exchange internationally.

Final Thoughts on PSMA Implementation

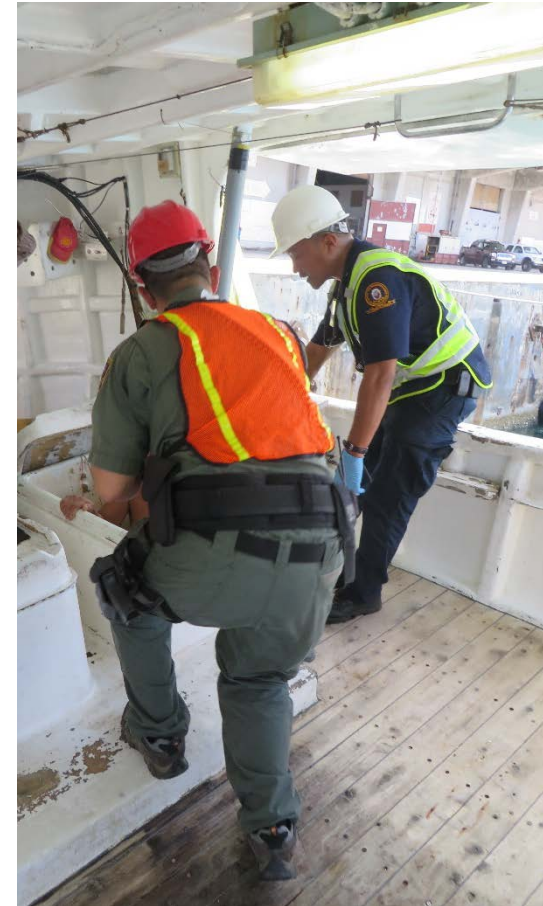
Implementing the Key Obligations of the PSMA

- Legal authorities for carrying out the obligations of the PSMA should be defined for each involved ministry/agency.
- Clear designation of roles and responsibilities for each governmental agency/ministry should be defined through legal rules/regulations.



Implementing the Key Obligations of the PSMA

- Development of standard operating procedures for duties requiring coordination among multiple agencies/ministries.
- Inter-agency/ministry communication plans for carrying out PSMA responsibilities need to be clearly outlined.





Questions?



NOAA FISHERIES