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Special points of interest:

- 3rd GFETW—Mozambique Scheduled Sept 2010
- MCS Membership: 50 Countries.
- www.imcsnet.org

REVISION OF PORT STATE MEASURES ANNEXES

November 25-27, 2008

[Michele Kuruc](#)

From November 25-27, 2008 a small group of experts gathered at FAO headquarters, Rome, to review and revise the five annexes appended to the draft of the legally binding instrument on port State measures to prevent, deter and eliminate IUU fishing currently being negotiated among FAO Member States. The draft agreement is based on the International Plan of Action on IUU Fishing and the FAO Model Scheme on port State measures, both non-binding instruments.

The annexes cover : A) information to be provided in advance by vessels, B) port state inspection procedures, C) report of the results of the inspection, D) information systems on port State measures and E) guidelines for the training of inspectors. Annexes A and C are forms. The November meeting shortened and simplified the forms and annexes. It is anticipated that the annexes will be accompanied by a set of guidelines to explain the forms and the information required. The information in Annex A for example, will be used to de-

termine whether to allow a vessel to enter port and to perform a risk assessment on that vessel to determine if it should be inspected by the port State. All of the Annexes and the current draft of the legally binding agreement can be viewed on the FAO website. The negotiation will continue at a meeting in late January 2009 and will consider the text of the agreement as well as the annexes. Significant differences of opinion remain regarding the text of the agreement.

ILLEGAL FISHING CONTROLS INADEQUATE: SPAIN

December 23, 2008

[FIS](#)

The European Union (EU) Court of Justice (ECJ) found Spain guilty of failure to sufficiently control fishing activity within its territory and in jurisdictional maritime waters or those subject to its sovereignty. It also considers that the Spanish government had not exerted control on fish landings and trade activities of specimens smaller than the official catch size.

According to the ruling, Spain does not allot the manpower necessary for inspecting the fish trade and does not punish offenders sufficiently.

This ruling validates the European Commission's

(EC) own opinion that Spain had not fulfilled its obligation under Community Law, following four inspection visits in the area of the Gulf of Cadiz and a report of its findings.

Upon examining the statistical data furnished by the European country, the Court focused on the fact that between 2004 and 2005, the number of hours dedicated to fishing inspections and control days aboard were significantly inferior to those of 2006.

As a result, the Court concludes that man-

power was insufficient in guaranteeing the control and inspection of the fishing activity, in particular the landing and trade activities of species subject to dispositions relative to their minimum size.



FIS Stock Photo

PIRATES TAKING HEAVY TOLL ON TOOTHFISH

November 5, 2008

[WWF](#)

According to a study released by TRAFFIC, the wildlife trade monitoring network, IUU fishing is severely undermining protection of the Patagonian and Antarctic toothfish in the southern ocean. As a result, WWF and TRAFFIC are calling for enhanced monitoring measures and for trade sanctions to be imposed against countries continuing to undermine the conservation measures for toothfish.

Fetching prices of up to \$35 per kilogram, toothfish has earned the nickname

“white gold” among fishers. The global black market for toothfish is estimated by WWF to be worth \$200 million a year.

The identities of the illegal fishers are often hidden behind flags of convenience, but States most commonly selling flags of convenience include Panama, Liberia, Belize and North Korea.

“We need to protect the toothfish, not the pirates,” said Rob Nicoll, WWF-Australia’s Antarctic & Southern Ocean Initiative Manager.

“Stricter regulation of trade would assist enforce-

ment - the pirates wouldn't go after the toothfish if they couldn't sell their ill-gotten gains.



ACS boarding Viarsa

KIRIBATI CATCHES TWO BOATS ILLEGALLY

October 31, 2008

[FFA Online](#)

Kiribati has arrested two more foreign fishing boats for violating their fishing agreements, bringing to three the number of vessels from distant water fishing nations that it has intercepted fishing illegally in the past three months.

Police reports say that a Korean vessel did not switch

on its “automatic locating communicator” since March until it was arrested by Kiribati’s patrol boat and a U.S. purse seiner was caught entering Onotoa island’s 12 mile territorial waters.

Both vessels were detected and reported through the multi-national Island Chief Operation maritime surveillance headquarters in Papua New Guinea – and arrest

operations were conducted by the Kiribati Police Maritime Unit, using the patrol boat *Te Anoai*.

Within a time span of about three months, Kiribati’s patrol boat *Te Anoai* has recorded the capture of three foreign fishing boats operating illegally in Kiribati’s waters.

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U.S. COAST GUARD, CHINESE LAW ENFORCEMENT OFFICER INTERDICT 28 ILLEGAL FISHERMEN ON HIGH SEAS

October 16, 2008

[United States Coast Guard](#)

A People’s Republic of China Fisheries Law Enforcement Command (FLEC) officer on board a U.S. Coast Guard cutter, seized a Chinese fishing vessel suspected of illegal large-scale high-seas drift net fishing 400 miles east of Hokkaido, Japan.

The boarding team including the FLEC officer determined the vessel had 20 kilometers of driftnet, 140 tons of squid on board and was rigged for large-scale high-

seas driftnet fishing, and was registered in the People’s Republic of China.

“Our embarked FLEC representatives were key to the operational success of this seizure and the overall mission over the last four months,” said Captain Craig B. Lloyd, Commanding Officer, Coast Guard Cutter *Munro*, “Their authority over the Chinese fishing vessels and their direct contact with their superiors in Beijing both contributed to the seamless, timely and professional execution of

the mission.”

The U.S. Coast Guard partners closely with Department of Commerce’s National Oceanic and Atmospheric Administration - National Marine Fisheries Service as well as the Department of State to achieve U.S. goals and objectives for living marine resource conservation.

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ARTISANAL FLEET, NOW UNDER WATCH IN ARGENTINA

November 25, 2008

[FIS](#)

Smaller vessels operating along the maritime coast of Argentina must be fitted with a satellite monitoring system starting 1 January 2009.

Enacted by the Federal Fisheries Council (CFP), the new measure expands the requirement from vessels of greater portage to the artisanal fleet.

The Fisheries Subsecretariat and governmental au-

thorities in different jurisdictions will be the agencies in charge of regulating the conditions of system use, according to CFP Resolution 21/08 published in the *Official Bulletin*.

In the province of Buenos Aires, descubierta class vessels of unlimited length with decks up to 13m are exempted from satellite monitoring.

The Fishing Vessel Positioning System implemented some years ago "has made

positive strides in the inspection process of the commercial fleet," the CFP indicated. As a result, they consider it "currently advantageous to add the artisanal fleet to the Fishing Vessel Positioning System in an attempt to expand the control mechanisms and [cover the comprehensive] exploitation of fishing resources," reads the new resolution.



Photo Courtesy of FIS

ARMED FORCES OF MALTA INTERCEPTS ILLEGAL FISHING VESSEL

December 15, 2008

[Independent](#)

The Armed Forces of Malta (AFM) Maritime Squadron's P-52 patrol vessel on Monday night intercepted a Spanish fishing boat which was fishing illegally in Malta's waters.

The Protector-class patrol vessel located the fishing boat in a position some 22 nautical miles south-south-

east of Malta.

The Maritime Squadron personnel instructed the crew to pick-up their prawn fishing-traps. The crew complied and together they steamed to Grand Harbor for the fisheries authorities and the police to conduct their investigations.



AFM P-52

JAPANESE WHALING SHIP OUTLAWED FOLLOWING GREENPEACE ACTION IN SOUTHERN OCEAN

October 28, 2008

[BYM Marine Environment](#)

The *Oriental Bluebird*, a re-supply and transport ship of Japan's whaling fleet, has been de-flagged and fined, following a legal ruling by Panamanian authorities. Greenpeace is calling on Japan's government to uphold international law by mothballing the vessel and ending the annual hunt in the Southern Ocean Whale Sanctuary.

The *Oriental Bluebird*, used to refuel the Japanese whaling fleet in the Southern Ocean and to ship whale meat back to Japan, was fined the maximum penalty,

after being ruled in violation of a number of domestic and international regulations by Panamanian authorities in a process that began in April 2008, relating to its permissible use, the safety of human life and the preservation of the marine environment.

This follows action by Greenpeace activists against the *Oriental Bluebird* in the Southern Ocean Whale Sanctuary in January 2008 and a concerted campaign by environmental groups in Panama. The

maximum fine of 10,000 Balboas (US\$10,000) was imposed on the owners of the ship, Hiyo Shipping Co. Ltd, in Japan who on October 8th removed its Panamanian registration and flag.



Oriental Bluebird

The Oriental Bluebird...was fined the maximum penalty, after being ruled in violation of a number of domestic and international regulations by Panamanian authorities

TOUGHER PENALTIES FOR ILLEGAL FISHING UP FOR FLOOR DELIBERATIONS AT HOUSE IN PHILIPPINES

November 20, 2008

[GMA News](#)

A bill imposing tougher penalties against illegal fishing moved closer to becoming a law after the House of Representatives aquaculture-fisheries committee reported it out for floor deliberation.

House Bill 2623 aims to establish a fisheries law enforcement support fund and create special courts for fisheries violations.

"This fisheries law en-

forcement support fund is badly needed in order to help attain the objective of the Fisheries Code. It is also expected that the policies and objectives of the Fisheries code specifically in the prevention and regulation of violations of the Code and other fisheries laws can be achieved through the establishment of Special Courts that should ensure the speedy resolution of cases pertaining to poaching in Phil-

ippine waters and the violation of the Fisheries laws and regulations," said author Rep. Alfredo Maranon III, in a press statement posted on the House of Representatives website.

The bill amends Chapter VI Section 87 on provisions and penalties of Republic Act No. 8550 or the Fisheries Code of 1998.

House Bill 2623 aims to establish a fisheries law enforcement support fund and create special courts for fisheries violations.

OFFICIAL: SUNKEN 'PIRATE' SHIP WAS THAI BOAT

November 26, 2008

[Seattle Times](#)

The pirate "mother ship" sunk by the Indian navy was actually a Thai fishing trawler seized hours earlier by pirates, a maritime agency said Wednesday. The Indian navy defended its actions, saying it fired in self-defense.

Fourteen sailors from the Thai boat have been missing since the Nov. 18 battle, which was hailed as a rare victory in the fight against increasingly brazen pirates who have rattled the interna-

tional shipping industry and created chaos in vital sea lanes. At the time, the Indian navy boasted of sinking the vessel and showed pictures of it engulfed in a fireball.

But on Wednesday a maritime agency and the boat's owner said it was actually a Thai trawler, the *Ekawat Nava5*, that had been boarded by pirates just hours before.

"The Indian navy assumed it was a pirate vessel because they may have seen armed pirates on board the

boat which has been hijacked earlier," said Noel Choong, who heads the International Maritime Bureau's piracy reporting center in Kuala Lumpur.

One of the crew members was killed and another rescued, said Wicharn Sirichaekawat, the managing director of Bangkok-based Sirichai Fisheries, which owned the boat. Fourteen are still missing.



Indian Navy Vessel

INDIA FOR STRONG INTERNATIONAL COOPERATION ON MARITIME SECURITY

December 5, 2008

[Deccan Herald](#)

Amid a spate of incidents of hijacking of ships by Somali pirates, India has sought strengthening of international cooperation to enhance maritime security and ensure sustainable use of marine resources.

Minister of State for External Affairs E. Ahamed stated that, "[in order] To combat IUU fishing it is essen-

tial to give priority to compliance and enforcement measures, including effective port State measures, listing of vessels, and developing and implementing integrated monitoring, control and surveillance packages.

This past February, Ahamed told the delegates at the 192-member Assembly, that India launched an important regional maritime security initiative, namely, the

"Indian Ocean Naval Symposium" with focus on 'Constructive Engagement' amongst all littoral states of the Indian Ocean Region. Its primary aim is to sustain a regionally relevant, consultative forum to promote a shared understanding of issues and concerns relevant to the Indian Ocean region, which bear upon maritime security, he said.

"To combat IUU fishing it is essential to give priority to compliance and enforcement measures"

E. Ahmed

SOMALI PIRATES LIVING THE HIGH LIFE

October 28, 2008

[BBC](#)

The *MV Faina* was initially attacked by a gang of 62 men. BBC Somalia analyst Mohamed Mohamed says such pirate gangs are usually made up of three different types:

- Ex-fishermen, who are considered the brains of the operation because they know the sea
- Ex-militiamen, who are considered the muscle - having fought for various Somali clan warlords
- The technical experts, who are the computer experts and know how to operate the



Map of Somalia

hi-tech equipment needed to operate as a pirate - satellite phones, GPS and military hardware.

The trappings of success may be new, but piracy has been a problem in Somali waters for at least 10 years - when Somali fishermen be-

gan losing their livelihoods.

Their traditional fishing methods were no match for the illegal trawlers that were raiding their waters.

Piracy initially started along Somalia's southern coast but began shifting north in 2007 - and as a result, the pirate gangs in the Gulf of Aden are now multi-clan operations.

But Garowe resident Abdulkadil Mohamed says, they do not see themselves as pirates. "They call themselves coastguards."



"They Call Themselves Coastguards" - Abdulkadil Mohamed

SOMALI PIRATES HIJACK TWO MORE SHIPS UNDER FOREIGN NAVIES' NOSES

December 12, 2008

[Daily Star](#)

Somali pirates hijacked two Yemeni fishing boats near the port of Aden.

Gathered in Nairobi, representatives of governments and agencies explored ways of removing some legal obstacles to tougher anti-piracy action.

Piracy "poses an enormous challenge to the international legal system," UN humanitarian coordinator for Somalia Mark Bowden said at Wednesday's opening of the

conference.

Technical experts discussed a document by the Office on Drugs and Crime (UNODC) to encourage countries in the region to detain, transfer and prosecute pirates. The \$1.3 million program will boost the criminal justice and law-enforcement systems of Kenya, Djibouti, Yemen and Tanzania over a six-month period to prepare them to try the pirates.

Britain and Kenya signed their own memorandum of understanding on piracy coop-

eration on the sidelines of the conference while the European Union negotiated a larger deal.

The conference closed with a final declaration containing no groundbreaking new steps but recommending more support to establish an effective Somali coast guard and study common policies on discouraging ransom payments.

PACIFIC TUNA CATCH REDUCTION SOUGHT

December 8, 2008

[TVNZ](#)

The Pacific states, which include Australia, said the annual Western and Central Pacific Fisheries Commission (WCPFC) meeting in Busan, South Korea, should back a plan to cut bigeye and yellowfin tuna catches by a third over the next three years. The Pacific states are specifically asking China, Japan, Korea,

Taiwan, and the United States to reduce tuna catches by 30%.

A decline in bluefin stocks has increased demand for the bigeye tuna, which is fished in the Indian and Atlantic oceans and the Western and Central Pacific. Worldwide stocks of bigeye tuna, a prime source for Japanese restaurants serving sushi and sashimi around the world, are on the verge of

collapse from overfishing, conservationists say.

The WCPFC will also consider banning long line fishing vessels from throwing juvenile fish back to sea, stationing observers on all tuna boats, close the high seas to tuna boats for three months a year, and ban the use of fish-attracting ocean buoys and floats inside island exclusive economic zones.

Piracy "poses an enormous challenge to the international legal system,"

UN humanitarian coordinator for Somalia, Mark Bowden

The Pacific states...should back a plan to cut bigeye and yellowfin tuna catches by a third over the next three years.

UGANDA: LAKE MANAGEMENT CAN CONTROL DECLINING FISH STOCKS

December 13, 2008

[All Africa](#)

Nile Perch, which was at one time considered food for the poor, has taken European countries as one of the most sought-after commodities from Uganda. The major appeal to consuming this fish is that, despite being very oily, it is free of cholesterol, which is blamed for heart disease.

The concerns of local fishermen are that other native species of fish are also becoming scarce because they are being consumed by Nile Perch or because of over-fishing. As a result of the decrease in fish population, a

Beach Management Unit (BMU) concept has been introduced on Lake Victoria. The BMU consists of fishermen who regulate their own activities and is seen as one of the best approaches to integrating indigenous knowledge into the management of the lake.

One of the major problems the BMU may face is that fishing companies with up to 100 boats, which are more interested in making money regardless of the consequences, are absent from the BMU. Additionally, fish processors have not come up with a declaration not to buy

immature fish. The fish factories sometimes buy immature fish because the market in Europe also prefers young fish. While the Nile Perch can grow and weigh up to 100kg, most processors will not export Nile Perch weighing more than 40kg.

Another issue is that the BMUs have been infiltrated by politics. "There are cases where BMUs cannot enforce the law for fear of antagonizing voters," he says. "In some cases the very fishermen that are notorious for using illegal fishing gear are the leaders of the BMUs."

The BMU consists of fishermen who regulate their own activities and is seen as one of the best approaches to integrating indigenous knowledge into the management of the lake.

SHARK FIN SOUP ALTERS AN ECOSYSTEM

December 10, 2008

[CNN](#)

Nearly 100 million sharks are killed every year due to the enormous demand for shark fins to make shark fin soup. Sharks existed before there were dinosaurs and they pre-date humans by millions of years. Yet, in a relatively short period of time, humans and their technological arsenal have driven most shark populations to the verge of extinction.

Over the last decade, the exploding middle class in China has changed the fate of the shark. With an unprecedented number of people making more money than ever, the demand for all

things that signal an improvement in status is gargantuan. The ability to serve and consume shark fin soup is among the most revered of activities, because it signifies that one has made it.

"The fin is one of the most expensive pound-for-pound item from the sea. And the beauty about the fin is that it's very compact ... it doesn't take up your hull and you can make a lot of money from it," said Peter Knights, director of WildAid International. Fins can sell for \$500 per pound, according to [WildAid](#), which is campaigning for a global ban on shark finning.

The fate of the shark is

grim. Increasing public awareness of the shark's role in the marine ecosystem and the rapid rate of extinction because of the demand for shark fin soup may be the best hope for the shark, which has inhabited the planet for 400 million years.



Shark finning

Nearly 100 million sharks are killed every year due to the enormous demand for shark fins to make shark fin soup.

ILLEGAL FISHING BOAT BOUND FOR SCRAP HEAP

November 10, 2008

[ABC News](#)

After spending three years docked in Hobart, Australia and costing the Australian Fisheries Management Authority more than \$70,000 in rent, the *FV Taruman* has

been sold and is on its way to India to be scrapped.

Mr. Khullar says the boat has been sold for about \$800,000, more than covering the \$70,000 rent bill owed to the Australian Fisheries Management Authority.

The Cambodian-flagged vessel was detained after Australian Fisheries officers found 130 tonnes of Patagonian toothfish onboard in 2005, as the result of lengthy surveillance operation



Australian Inspectors at *FV Taruman*

NEW ZEALAND ORION FIND SPARKS TONGA-TAIWAN FIGHT

November 25, 2008
[Stuff](#)

On January 28, an RNZAF Orion operating out of Tonga caught Taiwanese tuna boat *Chu Huai 638* fishing illegally in Tongan waters.

Taiwan suspended the boat's fishing license for three months and called the captain back for training, but Tonga wants T\$2.5 million (NZ\$2.2 million) for what it says is a violation of its sovereign rights.

The issue will come to a head next month in South Korea at the Western and Central Pacific Fisheries Commission, of which New Zealand is a member. It is the regional decision-making body for tuna management and is facing calls for strong action on illegal, unreported and unregulated (IUU) fishing.

The Pacific Islands Forum Fisheries Agency (FFA), a smaller Solomons-based body representing mainly the island

nations, wants the bigger commission to act on IUU fishing, saying it is costing them millions in lost revenue each year.

"In this way, the case is also a test case on whether the commission will rule in favor of a nation's sovereign right to determine what exactly 'adequate' prosecution for offences is," the FFA says.

The FFA's 17 members are all backing Tonga.

The Pacific Islands Forum Fisheries Agency (FFA) wants the bigger commission to act on IUU fishing, saying it is costing them millions in lost revenue each year.

NEW ZEALAND URGES SPAIN TO ACT ON ILLEGAL FISHING BOAT

December 19, 2008
[Earthtimes](#)

New Zealand has urged Spain to take action against the owners of a boat seen fishing illegally in Antarctic waters, Foreign Minister Murray McCully said Friday. He said the Spanish-owned *Bigaro*, which has been black-listed under an international treaty aimed at protecting resources in the Antarctic, was photographed Tuesday by a Royal New Zealand Air Force plane on a maritime

surveillance patrol in the Southern Ocean.

The *Bigaro* was fishing inside the management area of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), which has black-listed the ship for illegal, unreported and unregulated fishing in the Antarctic, McCully said.

"Spain is a CCAMLR member and is obliged to take action against the Spanish company and any individu-

als involved with the *Bigaro* who are on the CCAMLR blacklist," McCully said.

The *Bigaro*, which flies the flag of Togo but whose owners are based in Spain, was apparently fishing for the rare toothfish, which is prized by illegal fishing fleets that trawl in Antarctic waters.



FV Bigaro

NEW ZEALAND NAVY SHIPS PROJECT HARD TO KEEP AFLOAT

December 11, 2008
[NZHerald](#)

The Navy's \$500 million "Project Protector" is floundering, with six of its seven ships still undelivered - even though the taxpayer has paid the bulk of the bill.

The ships are already more than a year overdue, and the delivery date is officially defined as "unclear".

Official advice to Defense Minister Wayne Mapp is that the delays are affecting morale and causing much-needed personnel to leave

the Navy and the personnel shortages are limiting the availability of the ships it does have for sea duty.

The Navy is refusing to accept the Project Protector ships until outstanding problems are fixed by makers BAE Systems.

Dr. Mapp would not give an exact figure, but said "the bulk" of the bill had been paid and there would be no walking away from the deal.

Project Protector Multi-role vessel: *HMNZS Canterbury* is in service but plagued with problems. \$177 million + \$20 million to fix.

Two offshore patrol vessels: *HMNZS Otago* and *Wellington* finished below standard and sent back. \$90 million each.

Four inshore patrol vessels: Not accepted. \$143 million altogether.



HMNZS Canterbury

VARIOUS LINKS TO RELATED REPORTS

A report published by the United Nations in November 2008 regarding drug smuggling off the West Coast of Africa.

<http://www.unodc.org/documents/data-and-analysis/Studies/Drug-Trafficking-WestAfrica-English.pdf>

Illegal Unregulated and Unreported Fishing in West Africa

http://www.mrag.co.uk/Documents/IUU_WestAfrica.pdf

Illegal Fishing in the Economic Exclusive Zone of Japan

http://www.mrag.co.uk/Documents/IUU_Japan.pdf

Update on Tuna Fisheries

http://www.spc.int/oceanfish/Docs/Tuna%20Fisheries_1-2008.pdf

Development Impact of the Council Regulation Establishing a European Community System to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing on Commonwealth ACP Member Countries

http://www.acp-eu-trade.org/library/files/Tsamenyi%20et%20al_EN_1108_Commonwealth-Secretariat_Development-Impact-of-Council-Regulation-establishing-an-EC-Fishing-System.pdf

Patagonian Toothfish: Continuing CCAMLR's Fight Against IUU Fishing for Toothfish

http://assets.panda.org/downloads/ccamlr_report_1008_low_res.pdf

A National Study of Crime in the Australian Fishing Industry

<http://www.aic.gov.au/publications/rpp/76/rpp76.pdf>

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