

HOW WCPFC ENFORCES THE RULES



PACIFIC POSTCARD:
 Surveillance with patrol boats is one way WCPFC members monitor what happens at sea. The WCPFC also has an observer programme and a vessel monitoring system to track fishing and use port measures and a blacklist of banned vessels to control fishing.

MONITORING, CONTROL, SURVEILLANCE – A CENTRAL PART OF EFFECTIVE FISHERIES MANAGEMENT

Compliance and Enforcement:

Article 5 of the WCPF Convention gives members the duty to implement and enforce conservation and management measures through effective monitoring, control and surveillance (MCS). MCS covers a range of different activities involved in policing the fishing area. Acting on CMMs, putting a stop to illegal fishing, and verifying fisheries catches to improve data and information are the guiding principles for enforcing the rules.

Keeping track on fishing boats: Vessel Monitoring

Pacific Islands in the WCPFC face special challenges when it comes to finding resources to monitor who is doing what in the Convention area. Through the Pacific Islands Forum Fisheries Agency's Vessel Monitoring System (VMS) they can track and monitor fishing activities across the region. The VMS is a satellite-based system monitoring the position, speed and direction of registered fishing vessels licensed to operate in the Convention area. The WCPFC

is now developing, with FFA, a Vessel Monitoring System for the Western and Central Pacific Ocean.

Blacklisting illegal operators: the IUU list

Vessels not on the authorized register of fishing vessels in the WCPFC can end up being blacklisted on a WCPFC illegal, unreported, and unregulated (IUU) list, set up in 2006. An IUU vessel stays on a blacklist, usually until fines are paid and its owners can prove it can comply with conservation and management measures.

Monitoring fishing cargoes: Port

Monitoring fish catches and methods can also be done when fishing vessels dock in ports of Commission members for refueling, supplies, or transshipment. Members have a list of ways to run the inspections and monitoring of all fishing vessels visiting their ports. If a vessel is on the IUU list the member state cannot allow it entry. If a vessel already in port is later found to be on the list, it can be seized or detained.





Facts & figures: handy to know

1982

1982 is the year marking the introduction of the UN Convention on the Law of the Sea (UNCLOS). UNCLOS is the main international legal instrument governing the rights and responsibilities of States regarding the sea. Every important commitment on marine resources, including the set up of the WCPFC, can be traced back to it.

200

200 is the number of miles that make up a country's Exclusive Economic Zone, or EEZ. This area of sea from foreshore to the 200-mile border was set out as part of UNCLOS and helped Pacific Islands establish property rights over their areas of sea.

4

4 rights which nations with EEZs can enforce in their zones. These are sovereign rights over fisheries resources in the area, the preferential right to harvest, rights to grant access to foreigners and the right to enforce its laws.

Q&A

QUESTIONS & ANSWERS

Why is something as basic as observing fish being caught so important?

It all comes down to the best quality data on the levels of tuna and other species being fished or affected by fishing practices (by-catch) and making sure those levels stay within sustainable limits. The information observers bring in from their catch and effort reports is cross-checked with data about length of fishing days, what is caught, a vessel activity report (provided by the vessel operator) the Vessel Monitoring System which monitors movements through the Convention area. Observing what happens on fishing vessels, especially foreign fishing vessels, requires training in key skills such as objectivity and data recording. Depending on the area, observers will also have to be able to spend weeks, even months at sea.

How can members keep track of all the fishing vessels in the WCPFC area?

Surveillance by air, patrol boat and placing neutral observers on fishing vessels are all part of the strategy to stop illegal fishing activity. Sharing information and having regular contact with neighbouring coastal nations is part of coordinating that effort. For example, Papua New Guinea has special agreements with Australia, the Solomon Islands, Marshall Islands, FSM, Palau and Indonesia to help them monitor their shared

borders for illegal fishing or unlisted vessels.

What are the differences between a flag state, a port state and a coastal state?

A flag state is a country where the formal papers of registration for a fishing vessel are lodged. Under the WCPFC Convention, Commission members are flag states for registered vessels, and promise to investigate any allegations against fishing vessels flying their flag. Port states are nations with ports of entry for fishing vessels, usually allowing transshipment, refueling or repairs and other services to take place. Some Pacific port states are FSM, Marshall Islands, Papua New Guinea, and the Solomon Islands. A coastal state is a nation with at least one of its boundaries being the Ocean, hence a coastline boundary from which an EEZ takes effect.

Illegal, unreported, unregulated --- aren't they all the same thing?

No. Illegal fishing happens when vessels fish without permission in national waters, or are not flagged and licensed to fish in areas such as the WCPFC. Unreported fishing is often misreported, or not reported at all, when it comes to catch data by licensed fishers. This is in breach of the WCPFC Convention. Unregulated fishing is fishing within the WCPFC area which ignores Conservation and Management measures.

Under Tonga's fisheries legislation, illegal fishing is treated seriously. Our rights to enforce our law, with adequate severity, as stipulated under article 73 of the UN Law of the Sea Convention, must be respected.

- Viliami Moale,

Tonga Head of delegation to the 4th meeting of the WCPFC Technical Compliance Committee in FSM, in October 08 (referring to a Taiwanese fishing vessel filmed fishing illegally in Tongan waters for a total of 13 days.)

QUOTE HYPERLINK: <http://www.pacificmagazine.net>

MORE INFORMATION: Oceanic Fisheries Management Project: www.ffa.int/gef or email barbara.hanchard@ffa.int

Pacific Islands Forum Fisheries Agency: www.ffa.int or email info@ffa.int. **Western and Central Pacific Fisheries Commission:** www.wcpfc.int or email wcpfc@mail.fm.



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