



CLOSING PORTS TO IUU VESSELS

Implementing the IOTC Resolution on Port State Measures.

The IOTC, in its capacity as a Regional Fisheries Management Organisation (RFMO), adopted a Resolution on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IOTC PSMR). The Resolution was enforced on 1 March 2011.

According to the PSMR, IOTC Members and Cooperating Non-Contracting Parties must provide details of their **Designated Ports** where foreign vessels may land or tranship catches. Any vessel that wishes to land or tranship fish under the management mandate of the IOTC, or to use the port facilities of a designated port in the Indian Ocean, is required to provide an **Advanced Request to Enter Port** to the competent authority of the port State.

To which vessels does the IOTC PSMR apply?

'Vessels' are defined broadly to include any type of vessel used or intended to be used for fishing or fishing related activities (e.g. carrier vessels, support vessels). The IOTC PSMR applies to all vessels flying a flag different from the nationality of the port State.

What port can a vessel seek entry?

It is the sovereign right of a port State to grant or deny foreign vessels access to their ports. In compliance with the IOTC PSMR a vessel may not discharge or tranship its catch in a foreign port in the Indian Ocean that has not been designated by that country and is not listed on the IOTC website.

The IOTC website www.iotc.org, section Quick Links "Designated Ports" provides information on the designated ports of each port State, including:

- the name and contact of the designated ports
- the prior notification periods
- the contact of the designated competent authority
- the blank copy of the IOTC Port inspection report form.

How do you apply to enter a port?

The vessel operator, the agent or the master must submit an **Advance Request for Port Entry (AREP)** to the port State authority, at least 24 hours before arrival at the port or within the prescribed time limits imposed by the port State. The form can be found in Annexure 1 of the IOTC PSMR resolution or can be requested from the authority

of the port State.

The AREP provides the means for the port State to review and verify information and decide to **grant or deny** a vessel the permission to enter port and/or use the port facilities.

A port State may:

1 Allow entry



There is no evidence of IUU fishing, the vessel documentation is complete and verified, and the vessel is known for good compliance.

2 Allow entry but deny the use of port facilities



The vessel's flag State cannot provide adequate proof that the catch was taken in accordance with the IOTC's conservation and management measures.



The documentation is incomplete or cannot be verified or the details of where the catch was captured cannot be substantiated.

3 Refuse entry into port



Where there is evidence of IUU fishing or the information provided in the Advance Request for Entry in Port is incomplete or cannot be verified.

When the final decision of the port State is taken, the vessel is notified, and where applicable the flag State of the vessel, relevant coastal States and the IOTC are informed.

How to complete the advance request for entry in port

The advance request to enter port is composed of 23 sections.

- 1 **Intended port of call:** Name or code of the port where the vessel is requesting entry.
- 2 **Port State:** Name or code of the port State (ISO 3166 3-alpha country/territory codes).
- 3 **Estimated date/time of arrival:** Expected date and time that the vessel will arrive at the port limits.
- 4 **Purpose(s):** Reasons for requesting port access: Landing, Transhipping, packaging, processing of fish, refuelling, resupplying, maintenance, dry-docking.
- 5 **Port and date of last port call:** Name or code of the last port visited and the date of the last port call.
- 6 **Name of the vessel:** Name of the vessel as registered in relevant documents of the flag State.
- 7 **Flag State:** Name or code of the flag State where the vessel is registered.

- 8 **Type of vessel:** Using FAO vessel type codes.
- 9 **International Radio Call Sign:** Radio call sign of the vessel assigned by the flag State.
- 10 **Vessel contact information:** INMARSAT, fax, email, mobile and satellite phone.
- 11 **Vessel owner(s):** Name/contact details of vessel owner.
- 12 **Certificate of registry ID:** National registration number of the vessel as issued by the flag State.
- 13 **IMO ship ID if available:** International Maritime Organisation/ Lloyds Register identification number of the vessel.
- 14 **External ID if available:** Port of registry, fishing license number, hull number.
- 15 **IOTC identity:** IOTC number under which the vessel is authorised by IOTC.
- 16 **VMS and type: Record if the vessel has a VMS fitted:** national, RFMO and the type of VMS.
- 17 **Vessel dimensions:** Length of the vessel (LOA).
- 18 **Vessel master name and nationality:** The name and nationality of the Master of the vessel
- 19 **Relevant fishing authorisation(s) - Information on:**
 - Authorisation to Fish issued by the flag State
 - Fishing license issued by coastal State**Identifier:** The numeric or alpha-numeric identification of the authorisation to fish.
Issued by: The name of the issuing administration/authority/agency of the government.
Validity: The date the authorisation to fish starts and expires.
Fishing Area: The fishing areas authorised on the fishing authorisation.
Species: The fish species authorised to capture.
Gear: The ISSCFG code (FAO gear codes) for the gear authorised.
- 20 **Relevant transhipment authorisation(s):** The details for each authorisation to tranship.
Identifier: Numeric or alpha-numeric identification of the transhipment authorisation.
Issued by: The name of the issuing administration/authority/agency of the government.
Validity: Date the authorisation to tranship starts and expires.
- 21 **Transhipment information concerning donor vessels:** To be filled in when the vessel has onboard catches from donor vessel(s).
Date: Start date of the transhipment operation.
Location: Position (latitude/longitude) or port where transhipments took place.
Name: Name of donor vessel from which fish were received.



- Flag State: Donor vessels flag State.
 ID number: IOTC number of the donor vessel., IRCS, national registration number, IMO number.
 Species: Code of the species and products transhipped (FAO species codes).
 Product form: Product code of the catch as offloaded from the donor vessel.
 Catch area: Geographical/statistical area where the catch was taken by the donor vessel.
 Quantity: Total quantity of fish offloaded from each donor vessel.
- 22 Total catch on board: The total catch/product onboard the vessel.
 Species: Code of the species onboard (FAO Species codes).
 Product form: Product code of the catch onboard the vessel
 Catch area: See catch area for transhipment.
 Quantity: The total quantity of fish onboard.
- 23 Catch to be offloaded: Quantity of the catch that will be landed and/or transhipped while in port.

Inspection in port

Authorisation to Enter the Port

The authority of the port State will issue an authorisation to enter the port if the vessel has satisfactorily complied with port State requirements.

At this stage another process commences and the vessel is subject to a port State inspection that may lead to the authorisation to land or tranship the catch and use port facilities if no evidence of IUU fishing is found.

Inspection of the vessel and cooperation

The master and the crew of the vessel are required to fully cooperate with the IOTC inspection team and inspection process that will include inter alia:

- inspection of the vessel documentation
- fishing logbook and any other logbooks kept on-board
- fishing gear
- fish hold and catch and
- the Vessel Monitoring System (VMS).

Results of inspections and follow-up actions

The result of the inspection is recorded in a written report which is then provided to the master of the vessel, the flag State, relevant coastal States and the IOTC Secretariat.

For any infringements according to the IOTC Resolutions or the laws of the port State, the master will be advised of actions that may be taken including:

- denial of landing and transhipment,
- refused access to port facilities, and
- possible administrative or legal actions being taken against the master, the agent and the operator (e.g. fine, seizure of catch and/or gear and/ or vessel).

Offloading: landing or transhipment

If authorised to land or tranship fish the master will be requested to provide the cargo hold or well loading plans of the vessel and assist inspectors to monitor the species and quantity offloaded, sample and measure product for species compositions and unit weights.

This brochure aims at familiarising fishermen, vessel agents and tuna vessels operators on the requirements of the IOTC Resolution on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

For the complete and official requirements, consult the Resolution. If there is a discrepancy between the Resolution and this brochure, the official Resolution takes precedence.

For further information, contact



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Implementing the IOTC Port State Measures Resolution Responsibilities of the Fishing Industry



Port State Measures
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